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CHARTER, ORDINANCES  
AND  
RESOLUTIONS  
OF THE  
SOUTH PARK COMMISSIONERS.

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Published by Authority of the  
South Park Commissioners.

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1887



CHARTER, ORDINANCES

AND

RESOLUTIONS

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Chicago  
-SOUTH PARK COMMISSIONERS.

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CHARTER, ORDINANCES AND RESOLUTIONS  
OF THE  
SOUTH PARK COMMISSIONERS.

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AN ACT to provide for the location and maintenance of a Park for the Towns of South Chicago, Hyde Park and Lake:

*Approved February 24, 1869.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That five persons, who shall be appointed by the Governor of the State of Illinois, together with their successors, be, and they are hereby, constituted a Board of Public Park*  
*Appointm't.* Commissioners, for the towns of South Chicago, Hyde Park and Lake, to be known under the name of the South Park Commissioners; and in case of the failure of any of said persons to accept such appointment, and to qualify thereunder as hereinafter provided, within sixty days after the passage of this act, the place of such person in said commission shall be thereby vacated, and it shall be the duty of a majority of the commissioners so accepting, to appoint some suitable persons to fill the place thus made vacant, which appointment, when accepted by such nominee, shall constitute such person as a commissioner under this act. And a majority of said commissioners shall so continue to nominate until the board shall consist of five per-

**Oath.** sons. Each of said commissioners, before entering upon the duties of his office, shall take an oath to well and properly discharge the duties of his office for the interest of the public, which oath shall be reduced to writings subscribed to by him, and filed in the office of the County Clerk of Cook County. They shall each

**Bond.** give a bond in the penal sum of fifty thousand dollars, with one or more sureties, to be approved by the Judge of the Circuit Court of Cook County to the Treasurer of Cook County, conditioned for the faithful discharge of their duties under this act.

**Term of Office.** SEC. 2. As soon as convenient, after the said board shall be constituted as aforesaid, the members thereof shall decide by lot, at a meeting to be called by any three of them, as to the respective terms for which each member shall hold his office; the number of lots shall equal the number of commissioners, and the person drawing the longest term shall serve for five years from the first day of March, A. D. 1869; the one drawing the next shall serve for four years from said date; the one drawing the next shall serve for three years from said date; and so on until the term of each one of said commissioners shall be definitely determined, each one serving for the length of time inscribed on the lot drawn by him—the last of said commissioners serving for the term of one year only from said first day of March, A. D. 1869. As soon as the term of office of each of said commissioners shall be determined as aforesaid, said board shall organize by electing one of their number as President, and one of their number as Auditor; they shall also appoint a Treasurer, prescribe his duties and fix his compensation, who shall give bond for the faithful discharge of his duties in the penal sum of five hundred thousand dollars, with not less than three sufficient sureties, to be approved by the Judge of the Circuit Court of Cook County. They shall also choose a Secretary, who shall not necessarily be a commissioner, and who shall hold his office until his successor shall be appointed, as hereinafter provided; and all officers

**Election of Officers.**

appointed by the board shall be subject to removal at the pleasure of the board. The said board shall adopt a seal and alter the same at pleasure; they shall keep a complete record of all their proceedings, which shall be open at all times for the inspection of the public. The said commissioners shall receive no compensation for their services, except the President, who may, in the discretion of said board, have and receive such compensation as may be fixed as hereinafter provided, not to exceed three thousand dollars per annum. All vacancies occurring in said board shall be filled by the appointment of the Judge of the Circuit Court of Cook County, when such vacancy or vacancies shall occur. Said Board of Commissioners shall be a body politic and corporate, and shall have and enjoy all the powers necessary for the purposes of this act.

Seal.

Vacancies to  
be Filled.

Election.

SEC. 3. The President, Auditor, Treasurer and Secretary shall be elected annually by said board, at the annual meeting thereof, and shall receive such salary for their services as said board shall from time to time determine, not exceeding, for each of said officers, the sum of three thousand dollars per annum.

SEC. 4. The said commissioners, by this act, are authorized and empowered to, and they shall, within ninety days after their organization as aforesaid, or as soon thereafter as practicable, select the following described lands, situated in the towns of South Chicago, Hyde Park and Lake, in Cook County, Illinois, to wit: Commencing at the south-west corner of Fifty-first street and Cottage Grove avenue, running thence south along the west side of Cottage Grove avenue to the south line of Fifty-ninth street; thence east along the south line of Fifty-ninth street to the east line of Hyde Park avenue; thence north on Hyde Park avenue to Fifty-sixth street; thence east along the south line of Fifty-sixth street to Lake Michigan; thence southerly along the shore of the lake to a point due east of the center of section twenty-four (24), in township thirty-eight (38) north, range fourteen (14); thence west through the cen-

Lands to be  
Taken.

ter of said section twenty-four (24) to Hyde Park avenue; thence north on the east line of Hyde Park avenue to the north line of Sixtieth street, so called; thence west on the north line of Sixtieth street, so called, to Kankakee avenue; thence north on the east line of Kankakee avenue to Fifty-first street; thence east to a point to the place of beginning; also, a piece of land commencing at the south-east corner of Kankakee avenue and Fifty-fifth street, running thence west, a strip two hundred feet wide, adjoining the north line of Fifty-fifth street, along said Fifty-fifth street to the line between ranges thirteen (13) and fourteen (14) east; thence north, east of and adjoining said line, a strip two hundred feet wide, to the Illinois and Michigan canal; also, a parcel of land beginning at the south-west corner of Douglas place and Kankakee avenue, running thence south, a strip of land one hundred and thirty-two feet wide along the west side of said Kankakee avenue to a point one hundred and fifty feet south of the south line of Fifty-first street; also, a strip of land commencing at the intersection of Cottage Grove avenue and Fifty-first street, running thence east one hundred feet in width on each side of the center line of Fifty-first street, to a point one hundred feet east of the center line of Drexel avenue; also, a strip of land extending north from the intersection of Fifty-first street with Drexel avenue, one hundred feet in width on each side of the center line of said avenue to the north line of Forty-third street; thence northerly, a strip of land two hundred feet in width till it meets or intersects with Elm street in Cleaverville; thence northerly along said Elm street, two hundred feet in width, west from the east line of said street to its intersection with Oakwood avenue; which said land and premises, when acquired by said commissioners as provided by this act, shall be held, managed and controlled by them and their successors, as a public park, for the recreation, health and benefit of the public, and free to all persons forever, subject to such necessary rules and regulations as shall,

from time to time, be adopted by said commissioners and their successors, for the well ordering and government of the same.

**Condemn.** SEC. 5. In case the said commissioners cannot agree with the owner or owners, lessees or occupants of any of the said real estate selected by them as aforesaid, they may proceed to procure the condemnation of the same in the manner prescribed in the act of the General Assembly of the State of Illinois, entitled "An Act to amend the law condemning right of way for the purpose of internal improvements," approved June 22, 1852, and the acts amendatory thereof, the provisions of which said act, and the several acts amendatory thereof, are hereby extended to the park and park commissioners to be created by virtue of this act.

**Map.** SEC. 6. When the title to the land selected for such park as herein provided shall have been acquired by said commissioners, by gift, condemnation, or otherwise, it shall be the duty of such commissioners to make, acknowledge, and file for record in the office of the recorder of deeds for Cook County, a map, showing the said land, with a correct description, including section, township, and range.

**Assessors Appointed.** SEC. 7. As soon as the amount required for the condemnation of the grounds selected for said park shall have been ascertained, by said commissioners, with reasonable certainty, they shall apply to the Judge of the Circuit Court of Cook County for the appointment of three freeholders of the County of Cook as park assessors. The commissioners shall give notice in one or more of the daily newspapers published in the City of Chicago, of the time when such application will be made, and all parties interested may appear and be heard by the said judge, touching such appointment. At the time fixed for such application, the court, after hearing such persons as shall desire to be heard, touching such appointment, shall nominate and appoint three assessors for the purposes provided in this act. The said assessors shall proceed to assess the amount so

Assess in  
Proportion  
of Benefits.

Estimate  
Value of  
Lands.

Notice.

ascertained upon property in the towns of South Chicago, Hyde Park, and Lake, in Cook County, deemed benefited by reason of the improvement occasioned by the location of said park, as near as may be in proportion to the benefits resulting thereto: *Provided*, that the aggregate of said benefits is equal to or greater than the amount of said damages; and in case the aggregate of the benefits is less than the damages, then the balance of the damages over the benefits shall be paid from the fund provided for in section 8 of this act. Upon entering on the duties of their office, the said assessors shall make oath before the Clerk of the said Circuit Court faithfully and impartially to discharge the duties of their office. They shall give at least ten days' notice in one of the said daily papers of the time and place of their meeting for the purpose of making said assessment, and may adjourn such meeting from time to time until the same shall be completed. In making the said assessment the said assessors shall estimate the value of the several lots, blocks or parcels of land deemed benefited by them as aforesaid, and shall include the same, together with the amount assessed as benefits, in the assessment roll. All parties interested may appear before said assessors, and may be heard touching any matter connected with the assessment. When the same shall be completed, it shall be signed by the assessors, and returned to the said Circuit Court, and shall be filed by the clerk thereof. The assessors shall thereupon give at least ten days' notice in one of the said daily papers, of the filing of said assessment roll, and they will, on a day therein named, apply to the said Circuit Court for confirmation of the same which said notice shall be published at least ten days before the time fixed for such application. Said Circuit Court shall have power to revise, correct, amend, or confirm said assessment, in whole or in part, and may make or order a new assessment in whole or in part, and the same revise and confirm upon like notice. All parties interested may appear before said Circuit Court, either

- Objections.** in person or by attorney, when such application shall be made, and may object to said assessment, either in whole or in part, provided all objections shall be in writing, and shall be filed at least three days before the time fixed for the application, and shall specify the lot, block, or parcels of land on behalf of which objection is made. After the confirmation of said assessment, the
- Lien.** Clerk of said Circuit Court shall file a copy thereof, under the seal of his said court, with the Clerk of the County Court of Cook County, and said assessment shall be a lien upon the several lots, blocks, or parcels of land assessed for the benefits as aforesaid. Ten per
- Due and Payable.** cent. of the amount so ascertained shall be due and payable annually, and the Clerk of said Cook County Court shall include in the general tax warrants for each year, until the whole sum shall be paid, for the collection of State and county taxes in the said towns of South Chicago, Hyde Park, and Lake, ten per cent. of the said assessments, in an appropriate column, to be termed "South Park Assessment," with the amount to be collected opposite the several lots, blocks, or parcels of land assessed as aforesaid; and like proceedings in all respects shall be had for enforcing the collection of the same as is now provided by law for the collection of State and county taxes. The money collected under the provisions of this section shall be paid to the treasurer of Cook County, for which he and his sureties shall be responsible, as fully as for any other moneys by him received as treasurer of Cook County, and be held by him in the same manner and be subject to the same control and direction, as provided in this act for other moneys belonging to said corporation; and the treasurer of Cook County shall be entitled to receive one-half of one per cent. and no more, of said moneys as a full compensation for receiving and disbursing the same.
- Deficiency.** SEC. 8. For any deficiency arising through acquiring a title to said park, and for the payment of expenses of enclosing, maintaining and improving the park herein provided for, and the expenses, disbursements and

**Issue of  
Bonds.**

charges in the premises, the said commissioners shall have power to loan or borrow, from time to time, for such time as they shall deem expedient, a sum of money not exceeding two millions of dollars, and shall have authority to issue bonds, secured upon the said park and improvements, which bonds shall issue under the seal of said commissioners, and shall be signed by said commissioners, and countersigned by the secretary of said board, and bear interest not exceeding seven per cent. per annum; and it shall be the duty of said commissioners to keep an accurate register of all bonds issued by them, showing the number, date and amount of each bond, and to whom the same was issued, and said register shall at all times be open to the investigation of the public; and for the payment of the principal and interest of said bonds, the said park and improvements shall be irrevocably pledged, and the towns of South Chicago, Hyde Park, and Lake shall be irrevocably bound; and said bonds may be sold by said commissioners, upon such terms and for such prices as, in the judgment of said commissioners, can be obtained for the same in cash.

**Estimate for  
Yearly Tax.**

SEC. 9. The said board of park commissioners shall annually, on or before the 1st day of December in each year, transmit to the Clerk of the County Court of Cook County, an estimate, in writing, of the amount of money, not exceeding in any one year, three hundred thousand dollars, necessary for the payment of the interest on the bonds issued by said board, and that in addition thereto will be required for the improvement, maintenance, and government of said park during the current year; and the said clerk shall proceed to determine what per cent. said sum is on the taxable property of said towns, according to the several assessors' returns for the respective year, and shall, in the next general tax warrants for the collection of State and county taxes in said several towns, set down the amount chargeable to the several persons, corporations, lots, or parcels of ground, in a separate or appropriate column, and shall receive



such compensation as now allowed by law ; and the collectors respectively shall proceed to collect the same in the manner now provided by law for the collection of State and county taxes; and all the provisions of law, in respect to the collection of State and county taxes, and proceedings to enforce the same, so far as applicable, shall apply to said assessments and taxes. The said sum of money shall be placed by the treasurer of the said County of Cook, to the credit of said Board of Park Commissioners, and shall be drawn by said board from the county treasurer by warrant, signed by the president and secretary of the board, and countersigned by the auditor, to be appointed as aforesaid, and in no other way ; the appointment of such auditor or comptroller having been first duly certified by such president and secretary, and filed in the office of said treasurer of Cook County.

Closing of  
Highway.

SEC. 10. It shall be lawful for said commissioners to vacate and close up any and all public roads and highways, excepting railroads, which may pass through, divide or separate any lands selected or appropriated by them for the purposes of a park ; and no such road shall be laid out through said park except as the said commissioners shall lay out and construct.

No Commission-  
er to be  
Interested in  
Contracts.

SEC. 11. No one of the said commissioners shall be interested, either directly or indirectly, in any contract entered into by them with any other person; nor shall they be interested, directly or indirectly, in the purchase of any material to be used or applied in and about the uses and purposes contemplated in this act. And it shall be a misdemeanor for any commissioner to be directly or indirectly interested, or in any way pecuniarily interested in any contract or any work of any kind whatever, connected with said park.

Commission-  
ers Remov'd

SEC. 12. The said commissioners, or either of them, may be removed from office by the Judge of the Circuit Court of Cook County, upon the petition presented to him in term time or in vacation, by one hundred freeholders of said towns of South Chicago, Hyde Park,

and Lake, if it shall appear, after hearing the proof before said judge, that the said commissioners, or either of them, have been guilty of misdemeanor or malfeasance in office under this act; and if the said judge shall remove any two or more of said commissioners from office for any cause, before the expiration of their term of office, he is hereby empowered to appoint others in their stead, who shall fill such offices for and during the unexpired term of such commissioners so removed.

Power to  
Govern.

SEC. 13. The said board shall have the full and exclusive power to govern, manage and direct said park; to lay out and regulate the same; to pass ordinances for the regulation and government thereof; to appoint such engineers, surveyors, clerks, and other officers, including a police force, as may be necessary; to define and prescribe their respective duties and authority; fix the amount of their compensation; and, generally, in regard to said park, they shall possess all the power and authority now by law conferred upon, or possessed by, the Common Council of the City of Chicago, in respect to the public squares and places in said city; and it shall be lawful for them to commence the improvement of said park as soon as they have obtained one hundred acres of the premises herein described.

Office  
Vacant.

SEC. 14. The office of any commissioner under this act, who shall not attend the meetings of the board for three successive months, after having been duly notified of said meetings, without leave of absence from said board, may, by said board, be declared vacant.

Taxation.

SEC. 15. The real estate and personal property of said corporation shall be exempted from taxation and assessment.

Bonds  
Belong to  
Park Fund.

SEC. 16. All moneys belonging or to belong to any park fund now in existence or hereafter to be created, and all bonds, and the proceeds from sales thereof now authorized or hereafter to be authorized to be issued by the City of Chicago for park purposes, in or to which the South Division of the City of Chicago may now or shall hereafter be entitled to a distributive share, shall

be devoted and applied to the purchase or maintenance and improvement of the park contemplated and created by this act, under the direction and control of the commissioners provided for in this act.

Bonds to be  
Received for  
Assessment.

SEC. 17. The bonds to be issued under this act may be received in payment of any assessment, whether such bond or assessment shall have become due or not, upon such terms as shall be fair, just and equitable; and upon the payment of any assessment, the land upon which the same is assessed shall be free from any lien or liability to pay the same; and such payment shall be reported to the County Clerk of Cook County, and entered upon the record of assessment.

Election.

SEC. 18. There shall be an election held in the towns of South Chicago, Hyde Park, and Lake, on the fourth Tuesday in March next after the passage of this act, at which election the legal voters voting at such election shall vote for or against this act. The tickets shall be printed or written, "For Park" or "Against Park;" and if a majority of the votes cast on the subject of park shall be "For Park," then this act shall take effect and be in force, but not otherwise. The Clerk of the County Court of Cook County shall designate the places of holding such election, and give notice thereof in one or more of the daily papers published in the County of Cook, at least six days preceding such election, and shall supply the judges thereof with the necessary books, papers, and boxes as in other cases of election, and there shall be one polling or voting place in each voting precinct in said towns, as the same were fixed at the last general election in the County of Cook. The persons who acted as judges or inspectors of election in the several precincts of said towns, at the last general election in Cook County, shall be the judges or inspectors of this election. In case the judges or inspectors of election shall not attend at the time for opening the polls, such judges or inspectors shall be chosen by the legal voters present. The clerks shall be appointed as provided in elections for county offi-

Judges.

Clerks.

cers. The polls shall be opened and closed, and the election conducted as elections for county officers. All legal voters of said towns shall be entitled to vote at such election, without any new registration; and the judges or inspectors of such election shall use the registry list made for the general election in November, 1868: *Provided*, That whenever any person whose name is not on the registry list shall offer his vote at such election, the judges or inspectors shall require the same evidence of his qualifications as now provided by law. The said judges of election shall immediately after the closing of the polls, count the ballots, fill out and sign the returns and tally sheets, as now provided by law in all other elections, and return the poll books and ballots to the Clerk of the County Court, as in other cases of election. The votes shall be canvassed in the manner provided by law for the election of State and county officers. The Clerk of the County Court of Cook County shall, immediately after such canvass, cause a certificate of the result of such election to be filed in the office of the Secretary of State, which shall be conclusive evidence of the result of said election.

SEC. 19. This act shall be a public act, and shall take effect and be in force from and after its passage.

AN ACT amendatory of and supplementary to an act to provide for the location and maintenance of a Park for the towns of South Chicago, Hyde Park and Lake, approved February 24, 1869.

*Approved April 16, 1869.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in General Assembly*, That the portion of the fourth section of the act to which this is amendatory and supplemental, which is in the words

Lands Taken "A piece of land commencing at the southeast corner of Kankakee avenue and Fifty-fifth street; running thence west, a strip two hundred feet wide adjoining the north line of Fifty-fifth street," is hereby amended by substituting in lieu thereof the words "A piece of land commencing at the northeast corner of Kankakee avenue and Fifty-fifth street, running thence west a strip two hundred feet wide south of and adjoining the north line of said Fifty-fifth street."

Bonds  
Issued.

SEC. 2. The bonds authorized to be issued by the act of which this is amendatory and supplemental, may be issued, sold, and the proceeds applied for acquiring said lands, and for any and all purposes in the said act mentioned. Said bonds shall be retired and cancelled as fast as the money for that purpose can be obtained, by the collection of the money due upon the special assessment provided for in section seven of the act hereinbefore mentioned, and a sufficient amount of any bonds that may be issued by the City of Chicago under any law now in force or hereinafter enacted, and received by said commissioners, shall be applied to the purpose of retiring the bonds authorized by said act.

SEC. 3. The ninth section of said act is hereby so amended that the words "during the current year," shall read "during the next succeeding year."

Removal of  
Commission-  
ers.

SEC. 4. That the twelfth section of said act be and the same is hereby amended so as to read as follows: The said commissioners, or either of them, may be removed from office by the Judge of the Circuit Court of

Cook County, upon the petition presented to him, in term time or in vacation, by one hundred freeholders of said towns of South Chicago, Hyde Park and Lake, if it shall appear, after hearing proof before said judge, that the said commissioners, or either of them, have been guilty of misdemeanor or malfeasance in office under this act; and if the said judge shall remove any one or more of said commissioners from office for any cause before the expiration of their term of office, he is hereby authorized and empowered to fill the vacancy or vacancies thus created by appointing other commissioners in their place, who shall serve during the unexpired terms of the commissioners so removed.

Longitudin'  
Streets.

SEC. 5. The commissioners to be appointed under said act are hereby vested with the same powers and duties as are conferred by said act in relation to lands designated for parks, over all streets running longitudinally along and adjoining any and all of the proposed parks, or strips of land designated in said original act, as are conferred by said act in relation to such parks and strips of land, as may be necessary to improve and keep in repair the same, in connection with the said parks or strips of land, without obstructing the fences or other structures, free access to the said streets from existing roads and streets, and by owners of land abutting on the same.

Election.

SEC. 6. The elections held in the towns of South Chicago, Hyde Park and Lake, on the twenty-third day of March, A. D. 1869, under and by virtue of the eighteenth section of the act to which this is an amendment, are hereby legalized and confirmed, and said act shall be held and deemed to have been regularly and legally adopted by the legal voters of said towns, and shall remain in full force and effect, and shall be liberally construed in all courts with a view to carry out and enforce the intent and meaning of the same.

SEC. 7. This act is hereby declared a public act, and shall take effect and be in full force from and after its passage.

AN ACT to enable the Corporate Authorities of two or more towns, for Park purposes, to issue Bonds in renewal of Bonds heretofore issued by them, and to provide for the payment of the same: To make, revise and collect a Special Assessment on contiguous property for benefits by reason of the location of Parks and Boulevards and to make necessary changes in their location.

*Approved June 16, 1871. In force July 1, 1871.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That persons who have been appointed or otherwise selected, as CommissionersCorporate Authorities. commissioners or officers under and in pursuance of any act or acts of the General Assembly of this State which has or have been submitted to the legal voters of one or more towns, and by them respectively adopted, for the purpose of locating, establishing, enclosing, improving or maintaining any public park, boulevard, driveway, highway or other public work, or improvement, are declared to be corporate authorities of such towns for the purposes named in such act or acts; whether such persons are authorized to discharge the duties imposed upon them as a corporation or otherwise.

Issue Bonds in Exchange. SEC. 2. Corporate authorities of towns who have been authorized by law to issue bonds for the purpose of establishing, inclosing, improving or maintaining any public park, boulevard, driveway, highway, or other public work, or improvement in such towns, may issue new bonds, payable not more than twenty years from the date thereof, and the same exchange for bonds issued by such corporate authorities for the same purpose. The said corporate authorities may purchase any bonds issued by them, at any rate not exceeding the par value thereof, and issue in lieu of the same, bonds payable as aforesaid; such new bonds shall be issued under the seal of said corporate authorities, if they have one, and shall be signed by them and countersigned by their Secretary, if they have one, and bear interest not exceeding seven per cent. per annum, payable semi-

Retire for  
Sinking  
Fund.

Register of  
Bonds.

Cancellation  
of Bonds.

annually; and the principal and interest may be made payable at any place or places, within or without this State. The said bonds shall also contain a provision securing to said corporate authorities the right, if the said bonds or a sufficient number of them, cannot be purchased at not exceeding one per cent. above the par value thereof, for the yearly sinking fund hereinafter provided, to pay and retire at the end of each year after the date of said bonds, or so soon thereafter as due notice shall have been given, such number of the same, as may be necessary for that purpose, to be selected by lot by said corporate authorities, in the manner hereinafter provided.—It shall be the duty of said corporate authorities to keep an accurate register of all bonds issued by them, showing the number, date and amount of each bond, and said register shall, at all times, be open to the inspection of the public.—The public park, boulevard, driveway, highway, or other public work or improvement, on account of which said bonds may be issued, shall be irrevocably pledged for the payment of the principal and interest thereof, and the town in which such public park, boulevard, driveway, highway, or other public work or improvement are in whole or in part situated, shall also be irrevocably bound for the payment of the same. Bonds issued under this act may be exchanged as aforesaid, or sold by said corporate authorities for such prices as they may deem expedient, but the proceeds of bonds sold shall only be used for the payment or purchase of outstanding bonds which cannot be exchanged.—The bonds received in exchange or purchased as aforesaid shall be canceled, whereof an entry shall be made upon the bond register of said corporate authorities, showing the date, number and amount of each bond cancelled; and no bonds shall be issued under this act exceeding the amount already issued, nor contrary to the provisions of section twelve, article nine, of the Constitution of this State, nor until provision is made by law for the collection of a direct annual tax sufficient to pay the interest on such



bonds as it falls due, and also to pay and discharge the principal thereof on or before the time when the same shall become due, and whenever any provision has been made by an act or acts of the general assembly of this State for the assessment and collection of an annual tax in order to pay the interest on bonds issued by said corporate authorities, the provisions of said act or acts are hereby continued and expended, so as to require the assessment and collection of said annual tax, not only for the purpose of said act or acts named, but for the payment of the interest on any bonds which may be issued under this act, and to provide for the annual payment of a part of the principal thereof. Officers collecting said annual tax are required at the end of each month, to pay to said corporate authorities, so much of said tax as has been collected, and for collecting and paying over of said annual tax, no compensation shall be allowed except the salary allowed by law to the collector thereof; and if, for any cause, any portion of said annual tax required to be assessed and collected as aforesaid, shall for any one or more years fail to be collected, the said corporate authorities are required to add such deficiency or deficiencies to the amount required to be assessed in the succeeding year or years, and the amount of such deficiency or deficiencies shall be by the proper officers assessed and collected in the same manner as said annual tax, and as a part thereof.—The said corporate authorities are required to cause said tax and any deficiencies occurring as aforesaid, to be assessed and collected as required by law, and to apply sufficient thereof from time to time to pay the interest upon said bonds issued, and which may be issued as the said interest shall fall due.—And at the end of the year after the date of any bonds issued under this act, and of every year thereafter, the said corporate authorities shall, from the proceeds of said annual tax, set apart not less than three and one-fourth per cent. of the whole amount of bonds issued under this act, and a sum equal to the annual interest on said sum at the

Payment of  
Tax Collect-  
ed.

Amount to  
be Set Apart  
for Sinking  
Fund.

rate of interest borne by said bonds; which sum shall be applied by said corporate authorities in the purchase of bonds issued by them, if the same can be obtained at not exceeding one per cent. above the par value thereof; and if the said corporate authorities cannot obtain said bonds or sufficient of them to absorb said fund at that price, then from the outstanding bonds issued under this act, and not theretofore selected, shall be selected by lot, so many thereof, as may be required to absorb the funds so set apart for a sinking fund. The said selection shall be made by said corporate authorities at the end of each successive year after the date of said bonds, or within one month thereafter, in the presence of one of the Judges of the Circuit Court of said county, who with said corporate authorities shall make and sign duplicate certificates of the result thereof, one of which shall be filed in the office of the said corporate authorities, and the other in the office of the County Clerk of said county. Notice of said election and of the numbers of the bonds so selected, shall be forthwith given by said corporate authorities in one or more newspapers published in said county and in the City of New York, and if the owners of said bonds shall be registered, notice to such owners shall also be given by letter mailed to the address of such owner at his place of residence, if known or shown upon said register. The interest on bonds selected by lot, as aforesaid, shall cease from and after the time when the semi-annual interest on the same shall fall due next after the said selection is made; and, from the sums so set apart for a sinking fund, shall be paid the bonds so selected by lot as aforesaid, with interest until payment, or until the same shall cease as aforesaid. The funds so set apart for a sinking fund shall not be used for any purpose other than purchasing bonds to be cancelled, and paying bonds selected as aforesaid for the same purpose. The bonds so selected, when paid, and the bonds purchased, shall be cancelled, a certificate whereof, stating the number, date and amount of said cancelled bonds, shall from time to time

Sinking  
Fund by Lot.

Notice of  
Selected  
Bonds.

Interest to  
Cease.

be made by said corporate authorities, and filed in the office of the County Clerk of said county.

Estimate of  
Lands.

SEC. 3. Corporate authorities of one or more towns who have been authorized to make, establish or maintain any local improvement, in whole or in part, by special assessment or special taxation of contiguous property, or otherwise, may estimate as near as may be the probable cost of the lands, taken or to be taken or purchased for such improvement, or revise, enlarge and correct any estimate theretofore made, and make

Revise  
Assessment.

a new one of the same, and of the expenses of obtaining said lands, together with the cost of making and collecting a special assessment to pay the cost of said lands and expenses, and shall apportion the estimated costs of said lands, expenses and the cost of assessment as aforesaid, upon the lands situated in said towns, by said corporate authorities deemed benefited by reason of said local improvement, as near as may be, in proportion to the benefit resulting thereto. And if said corporate authorities shall not deem the lands in said towns benefited to the full extent of the estimated cost of the lands, taken or to be taken or purchased as aforesaid, and the costs and expenses aforesaid, then the said corporate authorities shall in like manner apportion so much thereof as they shall deem the lands in said town benefited.—The said corporate authorities shall give at least ten days notice in one or more newspapers published in the county in which such towns are situated, of the time and place of their meeting for the purpose of making said assessment, and may adjourn such meeting from time to time, until the same shall be completed.

Notice of  
Assessment.

Description  
of Property.

In making the said assessment, the lots, blocks and parcels of land deemed benefited, as aforesaid, shall be assessed, according to the descriptions and divisions thereof appearing of record in said county, on the day of the said first meeting, for the purpose of making the said assessment: but no error in the description or division of any lot, block or parcel of land, in making

said assessment, shall vitiate the same, provided the premises are described with substantial accuracy. The said corporate authorities shall estimate the value of the several lots, blocks or parcels of land deemed by them benefited as aforesaid, and shall include the same, together with the amount assessed for benefits, in an assessment book or roll.—All parties interested may appear before said corporate authorities, and may be heard touching any matter connected with the assessment.

Signed.

When the same shall be completed it shall be signed by the said corporate authorities, or by a majority thereof, and returned to the Circuit Court of the county in which such towns are situated, and filed with the clerk of said court,—whereupon the said corporate authorities shall give at least ten days' notice of the filing of said assessment roll, and that they will on a day named, apply to the said circuit court for confirmation of the same. Said notice shall be signed by said corporate authorities, or by a majority of them, and shall state the general nature of the improvement for which said assessment was made, and the towns, township, range and section in which the same is situated, without further description of its locality; and shall also state when the said assessment was filed in said court and the day when the said corporate authorities will apply to said court for confirmation of the same; but said notice need not contain a description of the lots, blocks or parcels of land assessed, nor the amount assessed upon them, or any of them, nor mention any particular law or laws of the State under which said assessment was made; which said notice shall be published in one or more newspapers published in the county in which said towns are situated, at least ten days before the time therein named for such application. When it shall appear to said court that proper notice has been given, it shall have power to hear, adjudge and determine the matter of said application, and all matters connected therewith. Any person interested in any lot, block or parcel of land assessed, may appear there-

Notice of  
Filing.

in, in person or by attorney, and object to said assessment: *Provided*, All objections shall be in writing and be filed in said court at least three days before the time fixed for said application, and shall specify the lots, blocks or parcels of land wherein the said person objecting is interested, in respect whereof objections are made, and the grounds thereof; said court shall have power to revise, correct, amend and confirm the said assessment, in whole or in part, and may, without further notice or order, make a new assessment in whole or in part, and the same confirm, or may order a new assessment to be made in whole or in part, and the same may revise, correct, amend and confirm upon like notice as aforesaid, or upon such notice as it may prescribe, but no order to make a new assessment in part shall hinder or delay the confirmation of the residue, or the collection thereof. From and after the time the amount of any assessment shall be ascertained and confirmed by said court, as to any lot, block or parcel of land so assessed, the amount thereof shall be a lien thereon, and may be paid at any time. The said court shall divide the amount of said assessment into installments, and fix the amount of the first installment, but the first installment shall not exceed twenty-five (25) per cent. of the said assessment.

The portion of said assessment, after deducting therefrom said first installment, shall be divided by the court into seven equal installments, which said installments shall be payable annually thereafter, and the court shall fix the time on or before which each of said installments shall severally be paid. All installments shall bear interest at the rate of seven per cent. per annum from the time on or before which the payment of the first one is to be made. The said corporate authorities, or their officer, from time to time duly authorized by them, and to be mentioned in some order or orders of said court, which it may from time to time make, shall have full power and authority to collect such assessment from the owners of such lands, and to give all proper receipts

Objections  
in Writing.

Lien.

Installments  
Division.

Division.

Interest.

and discharges therefor. The orders of said court shall be conclusive evidence of the regularity of all previous proceedings necessary to the validity thereof, and of all matters and things therein recited as having been heard and adjudged by said court. It shall be the duty of the clerk of said court to enter in said assessment book or books, or upon said assessment roll, all revisions, corrections and amendments of such assessment, and all new assessments made by the court, and all revisions, corrections and amendments of the same, and all orders for new assessments and all new assessments made in pursuance of such order, and all revisions, corrections and amendments of the same, together with all orders of the court in said proceedings.

Duplicate of  
Roll.

The said corporate authorities are required to furnish to the clerk of said court a duplicate copy of said assessment book or books, or roll, wherein shall be entered from time to time by said corporate authorities the several matters and things entered in said original assessment book or books, or upon said original assessment roll, which duplicate and the entries thereon, shall from time to time, as they are made, be certified by the clerk of said court, under the seal thereof, as a true copy of the original, and such duplicate copy of the assessment book or books, or roll, certified as aforesaid, shall be sufficient authority to said corporate authorities, or to their officer designated therein, to collect any assessment therein confirmed as aforesaid, and to receipt for

Discharge of  
Assessment.

and discharge the same. It shall be the duty of the officer having the custody of said original assessment book or books, or roll, to enter thereon from such receipt or discharge the fact of such payment, which entry shall be evidence of the same. After the proceedings in the said Circuit Court shall be finally concluded and terminated, it shall be the duty of the clerk thereof to deposit said original assessment book or books, or roll, and all proceedings relative to the same, duly entered as aforesaid, and properly certified, with the

County Clerk of the county in which such towns are situated.

Return of  
Delinquents.

In case said assessment, or any part thereof, so confirmed as aforesaid, shall not be paid at the time or times fixed therefor by the orders of said Circuit Court, it shall be the duty of the corporate authorities to return to the County Treasurer, or to some general officer of said county having authority to receive State and county taxes, a list of the lots, blocks and parcels of land so assessed, upon which said assessment shall remain unpaid, and the amount unpaid upon each lot, block or parcel of land, and from and after the return of such delinquent list, the said County Treasurer or other general officer of said county having authority to receive said State and county taxes, as well as said corporate authorities, or their officer, shall have authority to receive any of said unpaid assessments, and to give all proper receipts and discharges therefor. It shall also be the duty of said corporate authorities, to make and certify to the County Court in which such towns are situated a return, therein designating the said delinquent lands and the due and unpaid assessments against the same; and thereupon the said corporate authorities shall give notice by publication in one or more of said newspapers, that they will, on a day in said notice named, apply to said County Court for judgment against all delinquent lots, blocks or parcels of land upon which said assessment, or any part thereof, shall be unpaid. Such notice may be general, but must contain a description of the lots, blocks or parcels of land and the names of parties interested, if known, and the amount due and unpaid, which notice shall be published in one or more of said newspapers at least ten days before the time fixed for making said application, and the said application may be made on the day named, or any day of the same term by the permission of said court. The said corporate authorities and the said County Treasurer, or other general officer of said county, to whom said delinquent list shall have been returned, shall re-

Certificate  
of Return.

spectively report to said court the respective lots, blocks and parcels of land upon which said assessment has been paid to them respectively, after the return of said delinquent lists as aforesaid. And thereupon such proceedings, orders and judgments shall be had, as nearly as may be, as in cases of delinquent lands whereof judgment is prayed for the non-payment of State and county taxes; and the said judgments shall be conclusive of the regularity of all matters necessary to the validity thereof, excepting the giving of said notice of the application for judgment. After said notice for application for judgment shall have been published, the cost of publication shall be added to the assessment, as in the case of State and county taxes. After judgment shall have been rendered, the same shall be executed in the same manner, as nearly as may be, as is or may be provided by law for executing judgments for State and county taxes; but no judgment or sale of any lot, block or parcel of land so assessed for any one installment of said assessment, shall discharge the premises from any subsequent installment of the assessment, and proceedings for the non-payment of subsequent installments may be had in the same manner as if no default had been made in previous ones. All moneys collected by said treasurer or other general officer of said county, and all moneys realized from the sales of said lands upon judgments as aforesaid, shall at once be paid over to said corporate authorities, who shall execute a proper receipt therefor. The said County Treasurer or other general officer shall not be entitled to any compensation for receiving and disbursing of moneys by him under this act, or for services rendered by him as herein required, except the salary allowed him by law. Any and all moneys collected and obtained upon or out of said assessments, may be applied by the said corporate authorities to and for any of the uses and purposes named or intended by the act or acts under which they are organized. And if the proceeds of said assessments shall amount to a greater sum than the cost of the lands,

Application  
for Judgm't.

Moneys  
Collected.

County  
Treasurer's  
Compens't'n

Surplus of  
Assessment.



expenses and cost of assessment and collection as aforesaid, the overplus shall be applied by said corporate authorities toward making the improvement which they are authorized to make; *Provided*, that such excess shall not exceed the sum of twenty-five thousand dollars. If it exceeds that sum, then and in that case it shall be refunded *pro rata* to the parties paying such assessment. Any and all such corporate authorities as aforesaid may avail themselves of the provisions and privileges of this act, notwithstanding any provisions in the several acts creating them.

Change of  
Boundary  
Lines.

SEC. 4. Corporate authorities of towns having the control or supervision of any public park, boulevard, driveway or highway, which has been located in pursuance of a vote of the people of such towns desiring to alter or change the location of the same, or of any part thereof, or of any of the boundary lines of the same, may by petition, in writing, apply to the Circuit Court of the county in which such towns are situated, for leave to make such alteration or change. Notice of such application shall be given by said corporate authorities in some newspaper published in said county, at least ten days before the day named therein, when said application will be made, all persons interested may appear before said Circuit Court, either in person or by attorney, when said application shall be made, and object to the granting thereof. After hearing all persons interested, if said court shall deem the granting of said application to be for the public interest, it shall make an order granting to said corporate authorities leave to make such alteration or change, or such part thereof, as it may deem for the public good, and granting power to acquire by purchase or under any law of the State for acquiring lands for public use, such additional lands as such change or alteration may, in the judgment of said court, render necessary; and if by reason of any such change or alteration, any parcel of land shall no longer be deemed necessary or useful for the purpose of said park, boulevard, driveway or highway, the said court may direct the same to be sold and conveyed for the use of said park upon such terms and conditions

Damages by  
Change of  
Boundary.

as it may think proper. Damages sustained by any person injuriously affected by reason of any such change or alteration, shall be ascertained and paid in the same manner as in other cases of the exercise of the right of eminent domain. The said corporate authorities shall make, acknowledge and file for record in the office of the recorder of deeds for such county, a map showing any change or alteration made under any order of court, as aforesaid; Provided, that no application shall be made under or by virtue of this section after the first day of July, A. D. one thousand eight hundred and seventy-two, nor shall any change be made affecting the general location of any such park after said date.

Unexpended  
Balance.

SEC. 5. When any town, towns or corporation is subject to taxation or special assessment for the improvement of any park or parks, approached or connected by boulevard or boulevards, the money so raised by taxation or special assessment remaining unexpended after defraying the expense for improving the boulevard or boulevards (the money so raised by taxation or special assessment remaining unexpended after defraying the expense for improving the boulevard or boulevards) to said park or parks, shall be expended upon the parks (if more than one) in said town, towns or corporation, *pro rata*, according to the number of acres in each, unless already sufficiently improved, and it is hereby made the duty of the board of commissioners of any park or parks to cause the money to be so expended. The commissioners having in charge the maintenance and improvement of any public park, or parks, boulevard, driveway, highway or other public improvement under or by virtue of this act, shall on the first day of December, A. D. one thousand eight hundred and seventy-one, and annually thereafter, submit to the board of county commissioners or board of supervisors in the county in which the same may be located, a written or printed report of all their acts and doings in relation to the parks and other improvements under their supervision or control.

Report.

SEC. 6. All laws and acts inconsistent with this act are hereby repealed.

AN ACT to enable Park Commissioners and corporate authorities to take, regulate, control, and improve public streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect a special assessment or special tax on contiguous property.

*Approved and in Force April 9, 1879.*

SECTION 1. *Be it ordained by the People of the State of Illinois, represented in the General Assembly,* That every Board of Park Commissioners shall have power to connect any public park, boulevard or driveway under its control, with any part of any incorporated city, town or village, by selecting and taking any connecting street or streets, or parts thereof, leading to such park. Provided, That the street so selected and taken, so far as taken, shall be within the district or territory the property of which shall be taxable for the maintenance of such park. And provided, further, That the consent of the corporate authorities having control of any such street or streets so far as taken, and also the consent in writing of the owners of a majority of the frontage of the lots and lands abutting on such street or streets so far as taken, shall be first obtained. And provided, further, That such connection or improvement shall embrace only such street or streets as are necessary to form one continuous improvement.

SEC. 2. That such Board of Park Commissioners or such corporate authorities as are by law authorized to levy taxes or assessments for the maintenance of such parks, shall have power to improve such street or streets as they may deem best, and for that purpose they are hereby authorized to pay for the improvement thereof, and from time to time to levy or cause to be levied and collected a special tax or assessment on contiguous property abutting upon such streets so improved, for a sum of money not exceeding the estimated cost of such first improvement or improvements as shall be ordered and estimated by such Board of Park Commissioners, but not for any subsequent repairs thereof, and to that end, such board or corporate authorities shall have all the power and authority now or hereafter granted to them respectively, relative to the levy, assessment and collection of taxes or assessments for corporate purposes. And such special taxes or assessments as are hereby authorized, may be divided

into not exceeding four annual installments, bearing interest at the rate of 6 per cent. per annum from the date of confirmation until paid. And the said assessments or installments thereof shall be collected and enforced in the same manner as is provided by law for the collection and enforcement of other taxes or assessments, for or on account of such corporate bodies or boards, so far as the same are applicable.

SEC. 3. Such Park Boards shall have the same power and control over the parts of streets taken under this act as are or may be by the law vested in them of and concerning the parks, boulevards or driveways under their control.

SEC. 4. In case any such streets or parts thereof, shall pass from the control of any such Park Board, the power and authority over the same, granted or authorized by this act, shall revert to the proper corporate authorities of such city, town or village respectively as aforesaid.

SEC. 5. Any city, town or village in this State shall have full power and authority to invest any of such Park Boards with the right to control, improve and maintain any of the streets of such city, town or village for the purpose of carrying out the provisions of this act.

SEC. 6. Whereas, there is a necessity for the immediate construction of the improvement contemplated in this act, therefore an emergency exists and this act shall take effect and be in force from and after its passage.

AN ACT to enable Park Commissioners to improve, govern and maintain the parks and boulevards under their control.

*Approved and in Force June 26, 1885.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That every Board of Park Commissioners having a bonded indebtedness incurred by virtue of the laws of this State which is unable, after paying the interest and yearly maturing bonds, to properly improve, govern and maintain the parks and boulevards under its control, with the amount of money now authorized to be raised and set apart for that purpose, shall in addition to the amount of money now authorized to be raised by taxation on the property embraced in its park district, be allowed a sum not exceeding one mill on each dollar of taxable property embraced in such park district, according to valuation of the same as made for the purpose of State and county taxation by the last assessment, and the officers authorized by law to assess taxes for park purposes respectively, shall on receiving a certificate from such Board of Park Commissioners that the amount mentioned in such certificate, not exceeding the amount aforesaid, is necessary for the proper improvement, government and maintenance of the park property under its control, assess the same upon the taxable property embraced in said park district, the same as other park taxes are by law assessed, and the same shall be collected and paid over the same as other park taxes are now required by law to be collected and paid.

AN ACT to amend sections one (1) and two (2) of an Act entitled "An Act to enable park commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect a special assessment or special tax on contiguous property." Approved and in force April 9, 1879.

*Approved June 27, 1885. In Force July 1, 1885.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one (1) and (2) of an act entitled "An Act to enable park commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect a special assessment or special tax on contiguous property," approved and in force April 9, 1879, be amended so as to read as follows, to-wit :

SECTION 1. That every board of park commissioners shall have power to connect any public park, boulevard or driveway under its control, with any part of any incorporated city, town, or village, by selecting and taking any connecting street or streets or part thereof, leading to such park, and shall also have power to accept and add to any such park any street or part thereof which adjoins and runs parallel with any boundary line of the same. *Provided*, that the streets so selected and taken, so far as taken shall lie within the district or territory the property of which shall be taxable for the maintenance of such parks; *And provided, further*, that the consent of the corporate authorities having control of any such street or streets so far as selected and taken, and also the consent in writing of the owners of a majority of the frontage of the lots and lands abutting on such street or streets so far as taken, shall be first obtained.

SEC. 2. That such board of park commissioners or such corporate authorities as are by law authorized to levy taxes or assessments for the maintenance of such parks, shall have power to improve, maintain and repair such street or streets in such manner as they may deem best; and for that purpose they are hereby authorized to pay for the improvement thereof, and from time

to time to levy or cause to be levied and collected a special tax or assessment on contiguous property abutting upon such street so improved, for a sum of money not exceeding the estimated cost of such improvement or improvements and for the future maintenance and repair thereof as shall be ordered and estimated by such board of park commissioners. And to that end such board or corporate authorities shall have all the power and authority now or hereafter granted to them respectively relative to the levy, assessment and collection of taxes or assessment for corporate purposes, and such special taxes or assessments as are hereby authorized may be divided into not exceeding four annual installments, bearing interest at the rate of six per cent. per annum from the date of confirmation until paid ; and the assessment or installments thereof shall be collected and enforced in the same manner as is provided by law for the collection and enforcement of other taxes or assessments, for or on account of such corporate bodies, or boards, as aforesaid, so far as the same are applicable.

AN ACT to enable park commissioners to condemn land in certain cases for the purpose of making streets selected and taken for boulevards of uniform width, and to provide for the payment of the same.

*Approved June 14, 1887. In Force July 1, 1887.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in all cases where any board of park commissioners has selected and taken any street or part thereof under the provisions of an Act of the General Assembly entitled "An Act to enable park commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect a special assessment or special tax on contiguous property," and any part or portion of said street so selected and taken has not been legally laid out or dedicated to the uniform width of one hundred feet, the said board of park commissioners shall have the power to widen said street or the part of said street so selected and taken to the uniform width of one hundred feet; *Provided,* that some portion of each mile of said street, or the part thereof so selected and taken, shall be of the width of one hundred feet at the time of such selection and taking.

SEC. 2. Such park commissioners are hereby vested with power to take and acquire title to such pieces or parcels of land as may be necessary for such widening, and may proceed to procure the condemnation of the same in the manner prescribed in the Act of the General Assembly entitled, "An Act to provide for the exercise of the right of eminent domain." Approved April 10, 1872; the provisions of which said act are hereby extended to said park commissioners.

SEC. 3. Such park commissioners are hereby authorized to levy, or cause to be levied and collected, a special assessment or special tax upon the contiguous property abutting on said street or part thereof so selected and taken for the purpose of raising the amount necessary to pay the compensation and damages for the said land necessary to be taken for such widening, with the costs of the proceedings; and to that end they shall have all the power and authority now or hereafter granted to them relative to the levy, assessment and collection of taxes or assessments for corporate purposes.



AN ACT to amend section two (2) of an act entitled, "An Act to enable park commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect special assessment or special tax on contiguous property," Approved and in force April 9, 1879, as approved June 27, 1885.

*Approved June 16, 1887. In Force July 1, 1887.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two (2) of an act entitled "An Act to enable park commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect a special assessment or special tax on contiguous property," approved and in force April 9, 1879, as approved June 27, 1885, be and the same is hereby amended so as to read as follows:

SEC. 2. That such park commissioners or such corporate authorities as are by law authorized to levy taxes or assessments for the maintenance of such parks shall have power to improve, maintain and repair such street or streets in such manner as they may deem best, and for that purpose they are hereby authorized to pay for the improvement thereof, and from time to time to levy or cause to be levied and collected a special tax or assessment on contiguous property abutting upon such street so improved for a sum of money not exceeding the estimated cost of such first improvement or improvements as shall be ordered and estimated by such board of park commissioners but not for any subsequent care, maintenance or repair thereof; and to that end such board or corporate authorities shall have power and authority now or hereafter granted to them respectively, relative to the levy, assessment and collection of taxes or assessments for corporate purposes. And such special tax or assessments as are hereby authorized may be divided into not exceeding four annual installments, bearing interest at the rate of six per cent. per annum from the date of confirmation until paid; and the assessment or installments thereof shall be collected and enforced in the same manner as is provided by law for the collection and enforcement of other taxes or assessments for, or on account of, such corporate bodies or boards as aforesaid, so far as the same are applicable.

AN ACT to enable park commissioners to sell land no longer needed for park purposes.

*Approved June 16, 1887. In Force July 1, 1887.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any board of park commissioners having the control or supervision of any public park, boulevard, driveway or highway, and having any piece or parcel of land not exceeding one acre in area which shall no longer be needed or deemed necessary or useful for the purpose of said park, boulevard, driveway or highway, may apply to the circuit court of the county in which such piece or parcel of land is situated, by petition in writing, for leave to sell the same. Notice of such application shall be given by said board of park commissioners in some newspaper published in said county at least ten days before the day named therein when said application will be made. All persons interested may appear before said circuit court either in person or by attorney, when said application shall be made, and object to the granting thereof. After hearing all persons interested, if said court shall deem the granting of said application to be for the public interest, it shall direct that the property mentioned in said application, or any part thereof, be sold and conveyed by the said board of park commissioners for the use of said park, boulevard, driveway or highway, upon such terms and conditions as the said court may think proper.

## MICHIGAN AVENUE ORDINANCES.

**ORDINANCE** giving consent to the South Park Commissioners to take, regulate, control and improve Michigan avenue from the south line of Jackson street to the south line of Thirty-fifth street, and Thirty-fifth street from the east line of Michigan avenue to the east line of Grand boulevard.

*Adopted and in Force June 23, 1879.*

*Be it ordained by the City Council of the City of Chicago:*

SECTION 1. That whereas, the General Assembly has passed a certain act which was duly approved April 9, A. D. 1879, and which, with the title thereto, is in the words and figures following: (See Act of the General Assembly approved April 9th, A. D. 1879.)

And whereas, the Board of South Park Commissioners are about selecting and taking for the use and purpose in the said act mentioned that part of Michigan avenue extending from the south line of Jackson street to the south line of Thirty-fifth street, and that part of Thirty-fifth street extending from the east line of Michigan avenue to the east line of the Grand boulevard, and the consent in writing of the owners of a majority of the frontage of the lots and lands abutting on each of the said streets as far as taken or proposed to be taken by said board having been obtained, consent is hereby given and granted to the said Board of South Park Commissioners to take, regulate, control and improve the before described parts of Michigan avenue and Thirty-fifth street respectively, in manner and form provided in the said act of the General Assembly. And full power and authority is hereby granted to said Board of Park Commissioners to control, improve and maintain the parts of said streets so to be taken as aforesaid for the purpose of carrying out the provisions of the said act of the General Assembly: *Provided, however,* That nothing in this ordinance contained shall be construed as a waiver or relinquishment by or on the part of the said city of any of its rights or powers in relation to the laying of water and gas mains and pipes and the building and repairing of sewers, tunnels and drains in said streets, and the regulating of openings for the same. All powers which said city now has in

relation to water and gas mains, pipes and sewers and their connections and the regulation of the same, and the openings for the same in the streets and alleys of said city being hereby expressly reserved as to the said parts of Michigan avenue and Thirty-fifth street in as ample a manner as if the aforesaid consent were not given. Amendment, provided, That the estimated costs of said first improvement shall include a sum sufficient to lay a pavement of the best quality, stone curbing, a permanent sidewalk of uniform width, and such shade trees, shrubbery, additional lamp posts, and other additions as may be deemed necessary to make the same in every respect a thoroughly finished boulevard.

SEC. 2. Unless the said Board of Park Commissioners shall within thirty days from the approval hereof, select and take the said parts of streets for the purposes aforesaid, this ordinance shall cease to be of any force or effect, and the consent given by section (1) aforesaid shall be deemed to be withdrawn.

SEC 3. This ordinance shall be in force from and after its passage.

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ORDINANCE giving consent to the Board of South Park Commissioners to take, regulate, control and improve Michigan avenue from the south line of Thirty-fifth street to the center line of Thirty-ninth street, pursuant to the act of the General Assembly passed April 9th, A. D. 1879.

*Adopted and in Force October 17, 1884.*

*Be it ordained by the City Council of the City of Chicago:*

SECTION 1. That whereas the General Assembly has passed an act which was duly approved April 9, A. D. 1879, and which with the title thereto is in the words and figures following: (See act of General Assembly approved April 9, 1879.)

And whereas, the Board of South Park Commissioners are about selecting and taking for the uses and purposes in the said act mentioned, that part of Michigan avenue extending from the south line of Thirty-fifth street to the center line of Thirty-ninth street, in the City of Chicago, and a consent in writing of a majority of the frontage of the lots and lands abutting on said Michigan avenue so far as taken, or proposed to be taken by said board, having been obtained, and the village of Hyde Park having given and granted consent to said Board of South Park Commissioners to take, regulate and control and improve that part of Michigan avenue extending from the center line of Thirty-ninth street to the north line of Fifty-fifth street or Garfield boulevard.

Now, therefore, consent is hereby given and granted to this said Board of South Park Commissioners to take, regulate, control and improve the before described part of Michigan avenue, located between the south line of Thirty-fifth street and the center line of Thirty-ninth street, in the City of Chicago, in manner and form provided in this said act of the General Assembly, for the purpose of connecting the City of Chicago at the intersection of Michigan avenue and Thirty-fifth street with said Garfield boulevard.

Provided, however, that nothing in this ordinance contained, shall be construed as a waiver or relinquishment by or on the part of said city of any of its rights or powers in relation to the laying of water pipes or gas mains and pipes and the building and repairing of sewers in said Michigan avenue, and the regulat-

ing of openings for the same. All powers which said city now has in relation to water and gas pipes and sewers and their connections, and the regulation of the same, and the openings for the same in streets and alleys of said city, being hereby expressly reserved as to the said part of Michigan avenue in as ample a manner as if the aforesaid consent were not given.

Provided that the estimated cost of said first improvement shall include a sum sufficient to lay a pavement of the best quality, stone curbing, a permanent sidewalk of a uniform width, and such shade trees, shrubbery, additional lamp posts, and other additions as may be deemed necessary to make the same in every respect a thoroughly finished boulevard.

SEC. 2. Unless the said Board of South Park Commissioners shall within six months from the approval hereof, select and take the said part of Michigan avenue for the purpose aforesaid, this ordinance shall cease to be of any force or effect and the consent hereby given by section one aforesaid shall be deemed to be withdrawn.

SEC. 3. This ordinance shall be in force from and after its passage.

ORDINANCE giving consent to the Board of South Park Commissioners to take, regulate, control and improve Michigan avenue from the center line of Thirty-ninth street to the north line of Fifty-fifth street, pursuant to the act of the General Assembly passed April 9th, A. D. 1879.

*Adopted July 26, 1884.*

*Be it ordained by the President and Board of Trustees of the Village of Hyde Park:*

SECTION 1. That whereas the General Assembly has passed a certain act, which was duly approved April 9th, A. D. 1879, and which, with the title thereto, is in the words and figures following: (See act of General Assembly, approved April 9, 1879.)

And whereas the Board of South Park Commissioners are about selecting and taking for the uses and purposes in the said act mentioned, that part of Michigan avenue extending from the center line of Thirty-ninth street to the north line of Fifty-fifth street, or Garfield boulevard, and the consent in writing of the owners of a majority of the frontage of the lots and lands abutting on said Michigan avenue so far as taken or proposed to be taken by said board having been obtained, consent is hereby given and granted to the said Board of South Park Commissioners to take, regulate, control and improve the before described part of Michigan avenue in manner and form provided in the said act of the General Assembly.

Provided, however, that nothing in this ordinance contained shall be construed as a waiver or relinquishment by or on the part of said village of any of its rights or powers in relation to the laying of water or gas mains and pipes and the building and repairing of sewers in said street and the regulating of openings for the same. All powers which said village now has in relation to water and gas pipes and sewers and their connections and the regulation of the same and the openings for the same in streets and alleys of said village being hereby expressly reserved as to the said part of Michigan avenue in as ample a manner as if the aforesaid consent were not given.

Provided that the estimated cost of said first improvement shall include a sum sufficient to lay a pavement of the best

quality, stone curbing, a permanent sidewalk of uniform width, and such shade trees, shrubbery, additional lamp posts, and other additions as may be deemed necessary to make the same in every respect a thoroughly finished boulevard.

Provided further that said Board of South Park Commissioners shall not in any one year make an assessment for the improvement hereby contemplated of more than half a mile in length of said portion of said Michigan avenue, and said improvement to be commenced at Thirty-ninth street and continued in continuous order to the south.

And provided further that no improvement shall be made on any portion of said avenue described herein until the sewers, gas pipes and water pipes shall have been constructed and laid.

And provided further that no assessment shall be made for the improvement of any portion of said avenue south of Thirty-ninth street until an assessment shall have been made for the improvement thereof between Thirty-ninth and Thirty-fifth streets.

SEC. 2. Unless the said Board of Park Commissioners shall, within six months from the approval hereof, select and take the said part of said street for the purpose aforesaid, this ordinance shall cease to be of any force or effect, and the consent hereby given by section 1 aforesaid shall be deemed to be withdrawn.



AN ORDINANCE revising and consolidating the general ordinances and resolutions of the South Park Commissioners.

*Adopted and in Force October 12, 1887.*

*Be it ordained by the South Park Commissioners, as follows:—*

## CHAPTER I.

### MEETINGS.

- Meetings.** 1. Regular meetings of the commissioners shall be held on the second Wednesday of each month, at half past two o'clock in the afternoon.
- Special Meetings.** 2. Special meetings may be called by the president whenever he shall deem it necessary, and shall be called by the secretary at the request of any two commissioners. Written notice shall be given to each commissioner of the time and place of each special meeting.
- Annual Meeting.** 3. The annual meeting of the commissioners shall be held at the time appointed for the first regular meeting after the appointment and qualification of the commissioners annually appointed.
- Quorum.** 4. Three commissioners shall constitute a quorum for the transaction of business.

### COMMITTEES.

- Committees.** 5. Committees may be appointed from time to time as necessity may require, in such manner as the commissioners may by resolution determine.

### ORDINANCES AND REPORTS.

- Ordinances.** 6. All ordinances and reports of committees and meetings shall be in writing.
- Vote.** 7. The yeas and nays shall be taken upon the passage of all ordinances and upon all propositions to create any liability, or for the expenditure or appropriation of money and in all other cases at the request of any commissioner, which shall be entered upon the journal of the proceedings.
- Expenditure**

- Reports.** 8. Any report of a committee shall be deferred for final action thereon to the next regular meeting after the report thereof at the request of any two commissioners present.

## CHAPTER II.

### OFFICERS.

- Officers and Appointees.** 9. The following named officers, in addition to those created by the charter, shall be appointed by the commissioners at the annual meeting:—superintendent, attorney, engineer and gardener. Such officers shall hold office, unless sooner removed, for one year and until their successors are appointed and qualified.
- Officers Removed.** 10. Any officer so appointed may be suspended or removed by the commissioners, and all vacancies shall be filled by them.
- Clerks and Assistants.** 11. The commissioners shall also, from time to time, appoint such clerks and assistants as the service may require and dismiss the same in their discretion.
- Salaries Paid.** 12. The salaries of all officers shall be fixed at the annual meeting and shall be payable monthly.

### SECRETARY.

- Secretary.** 13. The secretary shall keep the corporate seal and affix the same to all papers which require it. He shall keep all records and papers belonging to the commissioners, attend all meetings of the commissioners and keep a full record of their proceedings in the journal.
- Records.** 14. All ordinances and resolutions passed by the commissioners shall be recorded by the secretary in a book to be kept for that purpose before the next regular meeting after their passage, and if any such ordinance or resolution shall require publication, he shall cause the same to be duly published.
15. He shall also perform such other duties as may be required of him by law or by the ordinances or resolutions of the commissioners.

## TREASURER.

**Treasurer.** 16. The treasurer shall receive all the moneys belonging to the commissioners and shall pay the same out only upon warrants regularly drawn, as hereinafter provided. He shall make monthly reports of the receipts and disbursements of money, and also submit to the annual meeting a detailed report showing the receipts and disbursements of money during the preceding year.

## SUPERINTENDENT.

**Superintendent.** 17. The superintendent shall have the general management and control of the parks, boulevards, streets and driveways under the control of the commissioners. He shall appoint such assistants and employes as the commissioners may authorize subject to their approval, and he shall have power to remove such assistants and employes as he appoints.

**Orders to Superintendent.** 18. He shall also receive and execute the orders of said commissioners and comply with such rules and regulations as the commissioners may by ordinance or resolution prescribe.

## ENGINEER.

**Engineer.** 19. The engineer shall have charge of the engineering department and do all the surveying and civil engineering required by the superintendent, and shall perform such other duties as may be imposed upon him by the ordinances or resolutions of the commissioners.

## GARDENER.

**Gardener.** 20. The gardener shall be under the direction of the superintendent and under his direction shall have charge of all the green-houses, shrubs, flowers and other matters and things pertaining to the nursery and horticultural department, and shall perform such other duties as may be imposed upon him by the ordinances or resolutions of the commissioners.

## ATTORNEY.

**Attorney.** 21. The attorney shall have charge of all litigation to which the commissioners shall be a party, and shall draft all instruments required by the commissioners and give opinions in writing on all questions referred to him by the commissioners.

## CHAPTER III.

## DISBURSEMENTS.

**Manner of Drawing Warrants.** 22. All warrants for the payment of money shall be drawn on the treasurer by the secretary and shall be signed by the secretary and countersigned by the auditor.

**Time of Drawing Warrants.** 23. Warrants for the payment of the regular salaries of the officers and of the regularly accruing interest upon the bonded indebtedness may be drawn and issued as the same become due and payable. No other warrants shall be drawn except upon the order of the commissioners made and entered of record at a meeting thereof.

**Payment of Bills.** 24. All claims and bills other than salaries and interest shall be filed with the secretary and, after examination by the auditor, presented by the secretary to the commissioners at the next meeting, and, if approved, and ordered paid by the commissioners, warrants shall be drawn therefor in the manner above set forth.

**No work to be ordered or money paid except by resolution of Board.** 25. No commissioner nor any committee of the commissioners, nor any officer or employe thereof, shall direct the commencement or prosecution of any work, or the purchase of any material or supplies, nor authorize any expenditure of money without the direct order or resolution of the commissioners made and entered of record at a meeting thereof, except that in cases of obvious necessity the president and superintendent, or either of them, may exercise a wise discretion, but that where such action shall involve the expenditure of more than fifty dollars it shall be specially reported to the commissioners at their next meeting.

## CHAPTER IV.

## CONTRACTS.

**Contracts to be Advertised.** 26. All contracts exceeding in amount the sum of five hundred dollars for work, materials or supplies, shall be let by the commissioners after advertisement to the lowest trustworthy and responsible bidder, such advertisement in all cases to reserve the right to reject any and all bids: Provided, however, that such contract may be let without advertisement if authorized by a vote of four commissioners.

**Contracts, Execution of** 27. All such contracts shall be executed in duplicate by the president and secretary, on the part of the commissioners, and by the contractor and attested by the seal of the commissioners; one original copy so executed shall be kept by the secretary in his office and the other shall be given to the contractor.

**Contractors' Bonds.** 28. Whenever any work or improvement is let by contract the contractor shall make, execute and deliver to the commissioners a bond with good and sufficient sureties, in such amount as shall not only be adequate to insure the performance of the work in the time and manner in such contract specified, but also to save and indemnify, and keep harmless, the commissioners against all liabilities, judgments, costs and expenses which may in any wise accrue against the commissioners in consequence of granting such contract, or which may in any wise accrue from the carelessness or neglect of such contractor, and conditioned also for the payment of all claims and demands whatsoever which may accrue to each and every person who may be employed by such contractor, or by any sub-contractor of such contractor in and about the performance of such contract; which said bond shall be approved by the president before the delivery to the contractor of the duplicate contract hereinbefore provided.

## CHAPTER V.

## POLICE.

- Police, number.** 29. The police force shall consist of such number of policemen as shall from time to time be determined by the commissioners, and shall be under the command of the superintendent who shall be *ex-officio* captain of police, and shall make proper rules and regulations for the discipline of the police force not inconsistent with the provisions of this ordinance.
- Supt., Captain of Police.**
- Age, Police.** 30. The applicants for position on the police force shall not be over thirty-five years of age, nor less than five feet eight inches tall, must be expert in horsemanship and be capable of protracted physical endurance.
- Superintendent to appoint Police.** 31. The superintendent shall make all appointments to the police force, subject to the approval of the commissioners, and shall have power to remove any member of the police force, reporting his reasons therefor to the next meeting of the commissioners.
- Special Police.** 32. The superintendent, in cases of emergency, is hereby authorized and empowered to appoint special policemen and such policemen shall have the same powers and authority as the regular police force, provided that such appointments shall in no case continue for more than twenty-four hours.
- Duties of Police.** 33. The several members of the police force when on duty shall devote their time and attention to the discharge of the duties of their station according to the ordinances and the regulations and directions of the superintendent, and it shall be their duty to preserve to the best of their ability, order, peace and quiet and to enforce the laws and ordinances.
- Powers of Police.** 34. They shall have power to arrest any person found in the act of violating such laws and ordinances, or aiding or abetting any such violation, and they shall take all persons so arrested before some justice of the peace or police magistrate in the town in which such arrest is made.

Resisting  
Officers.

35. No person shall resist any member of the police force in the discharge of his duty or in any way interfere with or hinder or prevent him from discharging his duty, nor offer or endeavor so to do, nor in any manner assist any person in custody of any member of the police force to escape or attempt to escape from such custody, nor rescue or attempt to rescue any person in custody.

Personating  
Police.

36. No person shall falsely represent or personate any member of the police force, or maliciously and with intent to deceive, use any of the signs, signals or devices adopted or used by the police department, nor shall any person wear in public the uniform adopted as the police uniform except active members of the police force.

## CHAPTER VI.

### BOULEVARDS, STREETS AND DRIVEWAYS. CARRIAGE-WALKS.

Width.

37. Carriage-walks shall not be less than four nor more than eight feet in width, except that a permit may be issued to a church, hotel, stable or business house for a wider carriage-walk when the commissioners shall be satisfied that the same is necessary.

Length and  
kind.

38. The flag-stones composing said carriage-walk shall be of the same kind of stone and of the same thickness as the adjoining sidewalks unless otherwise ordered by the commissioners and shall be free from any defects; the tops, sides and ends of the flag-stones shall be dressed in the same manner as the surface of the adjoining sidewalks. In case the length of the carriage-walk be twelve feet or less it shall be composed of one flag-stone only and in no case shall it be composed of more than two flag-stones.

Manner of  
laying.

39. In cases where the carriage-walk is laid to a curb-line the joints at the curb and side-walk must be close, not exceeding one-eighth of an inch; at the curb the carriage-walk shall be flush with the top of the curb, its end abutting the back end of the curb and this end

shall rest upon two stone piers not less than sixteen inches square and two feet and nine inches deep, and like piers shall be built under the middle joints, if the carriage-walk is composed of two flag-stones, the end of the flag-stone adjoining the sidewalk shall rest upon a foundation of the same character that supports such sidewalk, and shall be flush with its surface.

**Dressed off.** 40. In case the carriage-walk extends to a gutter where there is no curb the end shall be brought to a grade given by the engineer, and shall be squarely dressed off in the same manner as its surface for its full thickness.

**To lot line.** 41. In case the carriage-walk runs back from the sidewalk, it must extend to the lot-line or join some permanent step or coping, and its surface must be a continuation of the pitch of the sidewalk.

**Edges at right angles.** 42. The edges of all carriage-walks shall be laid at right angles to the line of the adjoining sidewalk.

**Covering Stop-cock boxes.** 43. Stop-cock boxes for either gas or water pipes and sewer ventilating pipes shall be covered with a neat, closely fitting, iron cover, set to the surface grade.

#### OPENINGS FOR HOUSE CONNECTIONS.

**No street openings without permit.** 44. No person shall be allowed to open or dig up any of such boulevards, streets or driveways without a permit from the commissioners. Such permit may be issued by the secretary to any owner of property abutting upon such boulevards or streets who shall desire to make house connections with the sewers, water, gas or other pipes laid in such boulevards or streets, or to repair the same, subject to the provisions, conditions and regulations hereinafter contained.

**Deposit for permit** 45. The applicant for such permit shall deposit with the secretary such a sum of money not exceeding five hundred dollars in any one case, as the superintendent shall estimate will fully cover the expense to be incurred by the commissioners in connection with said opening.

**Commissioners to make repairs.** 46. When the making of such connection or repairs shall require the removal of any stone sidewalk, such re-



moval shall be made by the employes of the commissioners, under the direction of the superintendent.

Trench.

47. The trench necessary for such connection or repairs shall be made by the applicant or his employes, with the view to the slightest possible damage to the roadway, planting place and sidewalk.

No tunneling allowed.

48. No person will be permitted to tunnel under the sidewalks, but pipes may be drawn through a hole made under sidewalk, provided such hole is not more than one inch larger in diameter than the pipe itself.

Grade and lines.

49. The grade and line of any pipes must not be such as to interfere with the curbing or other pipes now in said boulevards and streets.

Connections

50. When connections are to be made of different kinds of pipes, all must be made simultaneously, and by means of a single trench when practicable.

Manner of completing work under permit.

51. After the connection shall have been made or the repairs completed for which such permit shall have been issued, the trench shall be back-filled and the roadway, planting space and sidewalk restored to their former condition by the employes of the commissioners, under the direction of the superintendent. The superintendent shall certify to the secretary the actual expense incurred in connection with the work done under said permit, and the secretary shall refund to the person to whom said permit shall have been issued, the difference, if any, between the amount deposited and the amount so certified by the superintendent.

#### RAILROAD CROSSINGS.

Flagmen.

52. All railroads now using and maintaining, or which shall hereafter use and maintain railroad tracks across or intersecting any of such parks, boulevards, streets or driveways, shall station, keep and maintain at all times, at their own expense, at each and every of such crossings and intersections, a flagman, whose duty it shall be to signal persons traveling in the direction of any or either of such crossings, and warn them of the approach of any locomotive, engine, car, or of any im-

pending danger ; and shall construct and maintain gates at such crossings and intersections, when required by the South Park Commissioners.

Failure to  
comply.

53. The failure of any railroad company to observe the provisions of the foregoing section, for each and every day that such failure shall continue shall be deemed and constitute a separate offense under this article.

#### BUILDING MATERIALS.

Depositing  
of building  
material.

54. No person shall place or deposit or allow to be placed or deposited on any of said boulevards or streets any building material whatsoever, or any articles or things which would obstruct or hinder travel thereon without the written permission of the said commissioners, which said permit shall state how great a space will be allowed on which the same may be placed or deposited, and the length of time during which said permit shall be in force.

Danger sig-  
nals, red  
lights.

55. Every person having the use of any portion of said boulevards or streets or sidewalks for the purpose of erecting or repairing any building, or for any other purpose, shall cause two red lights to be placed in a conspicuous place, one at each end of such obstruction, from dusk until sunrise in the morning of each day during the time such obstruction shall remain, and shall also construct and maintain proper safeguards, and a good and safe plank sidewalk around such obstruction, which sidewalk shall be at least two feet wide.

### CHAPTER VII.

#### ANIMALS AND VEHICLES.

Animals  
prohibited  
running at  
large.

56. No cattle, goats, swine, or other animals of any kind, except such as are owned by the commissioners, shall be allowed within said parks, nor on or along said boulevards, streets or driveways, nor shall any person bring, drive or lead any animal therein or thereon, except horses or other beasts of burden, which shall be subject to the regulations herein prescribed.

Leading  
animals.

57. No person shall lead any horse, mule or other animal on said boulevards, streets or driveways, nor draw a second carriage, buggy, or vehicle of any description with any team or other vehicle at one time ; nor drive any horse before any sleigh or sled, unless there shall be a sufficient number of bells attached to the harness of such horse to warn persons of their approach.

Speed.

58. No animal shall be ridden or driven in said parks or along said boulevards, streets or driveways at a rate of speed exceeding eight miles per hour, except that horses may be speeded on such parts of said boulevards as may be set apart by the commissioners for that purpose and then under such regulations as the commissioners may prescribe.

Grass and  
foot paths.

59. No velocipede, bicycle, tricycle, wheelbarrow, handcart or other vehicle, or horse or other animal, shall be permitted on the foot-walks of said parks, nor upon the sidewalks, curb-stones or grass plots or planting spaces of said boulevards, streets or driveways, nor to cross the same, nor shall any vehicle or horse or other animal go or be taken upon any part thereof, except upon the carriage-drives and upon such places as are appropriated for carriages at rest.

Obstructing  
the way.

60. No vehicle or animal shall be permitted to stand upon such roadways or carriage-drives to the obstruction of the way or the inconvenience of travel ; nor shall any person solicit passengers for hire thereon without the written consent of said commissioners.

Solicit  
passengers.

Funerals.

61. No funeral procession or hearse shall be permitted in said parks, nor upon such boulevards, streets or driveways ; *provided*, however, that nothing herein shall be construed to prevent the removal of any deceased body from any house abutting upon such boulevards or streets and the forming of a funeral procession therefrom, but such deceased body, hearse or procession shall not be permitted to proceed further thereon than the nearest cross-street in the direction in which such procession or hearse shall move.

Teams  
and traffic  
wagons  
prohibited.

62. No omnibus, wagon, cart, dray, truck, or other vehicle for carrying goods, merchandise or manure, or other articles, except such as are engaged in repairing or constructing said parks, boulevards, streets or driveways, shall be allowed thereon; provided, however, that wagons or other vehicles carrying goods, merchandise or other articles, to or from any house or premises abutting upon any of such boulevards or streets, shall be permitted to enter thereon at the cross-street nearest said house or premises, in the direction in which the same are moving and deliver or receive such goods, merchandise, or other articles, but shall not proceed thereon further than the nearest cross-street thereafter; *and provided, further*, that at any time before the hour of two o'clock in the afternoon of each day, delivery wagons having wheels with tires of not less than three and one-half inches in width and drawn by one horse only, shall be allowed to proceed on and along said boulevards and streets; but this provision shall not apply to any of the driveways within the limits of the parks.

Hitching, &c

63. No person shall hitch a horse or other animal to any lamp-post, tree, or fire hydrant, nor ride nor drive over the curb-stones, sidewalks, or grass-plots, nor dump any coal thereon.

Carriage  
lights.

64. Carriages, cabs, and other vehicles usually carrying lamps, must keep the same lighted at night.

No obstruct-  
ing of cross-  
walks.

65. All cross-walks must be kept clear and no carriages, wagons, carts, sleighs, or other vehicles, horses or other animals, will be permitted to stand thereon except so far as may be necessary in crossing the same.

No animal  
to stand  
unless  
hitched.

66. No person shall permit any horse or other animal to stand upon any portion of said boulevards, streets or driveways, unless the same shall be securely hitched, and, when the driver is not in charge, securely checked.

## CHAPTER VIII.

## PROHIBITED PRACTICES.

- Playing of games.** 67. No person shall play at any game whatsoever in or upon any of the parks, boulevards, streets or driveways, under the control of the commissioners; *provided*, however, that ball, cricket, lawn tennis and other games of recreation, may be played upon such portions of said parks as may be designated from time to time by the superintendent and under such rules and regulations as may be prescribed by him.
- Frightening animals.** 68. No person shall engage in any sport or exercise upon such boulevards, streets or driveways, as shall be liable to frighten horses, injure passengers, or embarrass the passage of vehicles thereon.
- Fire-arms and fire-works.** 69. No person shall fire or discharge any gun or pistol or carry fire-arms, or throw stones or other missiles within said parks, boulevards, streets or driveways; nor shall any person fire, discharge or set off any rocket, cracker, torpedo, squib or other fire-works, or things containing any substance of an explosive character.
- Hindering employes.** 70. No person shall converse with or in any manner hinder those engaged in constructing or repairing said parks.
- Peddlers.** 71. No person shall expose any article or thing for sale or do any hawking or peddling therein or thereon.
- Indecent language, gambling, drunkenness.** 72. No person shall use abusive, insulting, or obscene language, or language calculated to occasion a breach of the peace, nor shall any person tell fortunes, play at any games of chance, be drunk, or do any indecent acts therein.
- Music and parades.** 73. No person, without the consent of said commissioners, shall play upon any musical instrument or carry or display any flag, banner, target, or transparency, nor shall any military or target company, or band or procession be permitted to parade, march, drill, or perform any evolutions, movements, or ceremonies within said parks, or upon or along said boulevards, streets, or driveways,

nor do or perform any act tending to the congregating of persons therein or thereupon.

Bathing,  
hunting, and  
fishing.

74. No person shall bathe or fish in the waters of said parks, or go, or send, or ride any animals into the same, nor shall any person disturb any fish, fowl, or other animals kept therein, or throw anything into the waters or place anything upon the grounds thereof.

Injury to  
park and  
property.

75. No person shall cut, break, or in any way injure or deface any of the trees, shrubs, plants, turf, grass, lamp-posts, fences, bridges, buildings, or other constructions or property, in or upon said parks, boulevards, streets or driveways.

No travel  
except on  
"common."

76. No person shall climb or walk upon any wall or fence of said parks, nor cross nor travel upon any grass or lawn therein, except where the word "Common" shall be posted to indicate the permission so to do, nor shall any person cross or travel on the grass-plots or planting-spaces upon such boulevards, streets or driveways.

Post bills.

77. No person shall post or fix any notice or bill or other writing or printing on any tree, lamp-post, hydrant, curb-stone, coping, flag-stone, fence, wall, building or other place, under the control of said commissioners.

Advertising.

78. No person shall drive any vehicle displaying any placard or advertisement of any kind, along said boulevards, streets or driveways; nor shall any person display any placards or any advertisements of any kind on or along the same.

Refuse and  
garbage.

79. No ashes, garbage, or rubbish of any kind, shall be put on the roadways, sidewalks, or grass-plots or planting-spaces, of such boulevards, streets or driveways.

Coal on  
grass-plots.

80. No person shall be permitted to dump or deposit any coal on said grass-plots or planting-spaces or sidewalks.

Fence  
around  
grass-plots.

81. No person shall be permitted to build or place any fence or other barrier around said grass-plots or planting spaces.

House mov-  
ing.

82. No person shall be permitted to move any house or building on, along, or across any of said parks, boulevards, streets or driveways.

**Disorderly  
conduct.**

83. No person shall be guilty of disorderly conduct, or make, aid, countenance or assist in making any disorderly noise, or riot, or breach of the peace within the limits of any of said parks, boulevards, streets or drive-ways.

## CHAPTER IX.

**Penalty.**

84. Any person who shall disobey or neglect, fail or refuse to comply with this ordinance, or any section thereof, shall, on conviction thereof, pay a fine of not less than five nor more than one hundred dollars.

**Repeal.**

85. All general ordinances and resolutions relating to any of the subject matters mentioned in this ordinance, and all ordinances and resolutions in conflict with the provisions of this ordinance are hereby repealed.

**Effect.**

86. This ordinance shall take effect and be in force from and after its passage.

*RESOLUTIONS, AGREEMENTS AND ORDINANCES.*

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*LANDS.*

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**DESIGNATION OF LANDS TAKEN FOR PARK PURPOSES.***Adopted May 5, 1869.*

WHEREAS, John M. Wilson, George W. Gage, Chauncey T. Bowen, Leverett B. Sidway and Paul Cornell, South Park Commissioners, did, on the fourth day of May, A. D. 1869, personally examine the lands described in the South Park Act, as modified by the act supplemental to and amendatory of said act, and being all present at the meeting now being held at the office of the Board, on this fifth day of May, A. D. 1869. On motion of George W. Gage, seconded by Chauncey T. Bowen, it was unanimously

Resolved, that they do now select the lands designated in said act, as modified by said act supplemental and amendatory for said South Parks, said lands being described as follows:

“Commencing at the southwest corner of Fifty-first street and Cottage Grove avenue, running thence south, along the west side of Cottage Grove avenue to the south line of Fifty-ninth street; thence east along the south line of Fifty-ninth street, to the east line of Hyde Park avenue; thence north on Hyde Park avenue to Fifty-sixth street; thence east along the south line of Fifty-sixth street to Lake Michigan; thence southerly along the shore of the lake to a point due east of the center of section twenty-four (24), in township thirty eight (38) north, range fourteen (14); thence west through the center of said section twenty-four (24) to Hyde Park avenue; thence north on the east line of Hyde Park avenue to the north line of Sixtieth street, so called; thence west on the north line of Sixtieth street, so called, to Kankakee avenue; thence north on the east line of Kankakee avenue to Fifty-first street; thence east to a point to the place of beginning.

Also a piece of land commencing at the northeast corner of Kankakee avenue and Fifty-fifth street, running thence west, a



strip two hundred feet wide, south of and adjoining the north line of said Fifty-fifth street; along said Fifty-fifth street to the line between ranges thirteen (13) and fourteen (14) east; thence north, east of and adjoining said line a strip two hundred (200) feet wide to the Illinois & Michigan Canal;

Also a parcel of land beginning at the southwest corner of Douglas Place and Kankakee avenue, running thence south a strip of land 132 feet wide, along the west side of said Kankakee avenue, to a point 150 feet south of the south line of Fifty-first street;

Also a strip of land commencing at the intersection of Cottage Grove avenue and Fifty-first street, running thence east 100 feet in width on each side of center line of Fifty-first street, to a point 100 feet east of the center line of Drexel avenue;

Also a strip of land extending north from the intersection of Fifty-first street with Drexel avenue, 100 feet in width, on each side of the center line of said avenue to the north line of Forty-third street; thence northerly, a strip of land 200 feet in width, till it meets or intersects with Elm street, in Cleaverville; thence northerly along said Elm street, 200 feet in width, west from the east line of said street to its intersection with Oakland avenue; said lands situate in and being a part of sections two (2), three (3), six (6), seven (7), eleven (11), fourteen (14), sixteen (16), seventeen (17) and eighteen (18), the southeast quarter of section (10) and all of fractional section thirteen (13), except the north twenty-four  $\frac{63}{100}$  acres, the north-east quarter of section fifteen (15); the north half of section twenty-four (24), in township thirty-eight north, range fourteen east, and parts of sections thirty-one (31) and thirty-four (34), in township thirty-nine (39) north, range fourteen (14) east.

AMENDMENTS AND CHANGES IN THE BOUNDARY  
LINES OF THE SOUTH PARKS.

*Adopted June 28, 1872.*

Resolved, that the following alterations or changes in the location and boundary lines of the South Park, authorized by the Circuit Court of Cook county, upon the petition of the South Park Commissioners presented to said Court on the twentieth day of May, 1872, be and the same are hereby adopted, to-wit:

*First,* In addition to the lands now embraced within the park limits, lying in the south half of section 34, township 39 north, range 14, east of the third principal meridian, and in section 3, and the north half of section 10, township 38 north, range 14, east of the third principal meridian; there shall be annexed to and included within the boundaries of the said park, all that portion of Kankakee avenue, now or lately so called, which lies between the south line of Douglas Place and the south line of Fifty-first street, and also all that portion of lots nine (9), ten (10) and eleven (11), in Lavinia & Co.'s subdivision of the south half of the south half of the northeast quarter of section ten (10), township 38 north, range 14, east of the third principal meridian, lying west of a line drawn across said lots parallel to the east line of Kankakee avenue, and one hundred and fifty feet east of and distant therefrom; and, also, all that portion of Fifty-first street, lying south of and adjoining said last described parcel of ground.

*Second,* In addition to the lands now embraced within the park limits, lying south of Fifty-sixth street and east of the Illinois Central Railroad, there shall be annexed to and embraced within the boundaries of said park, a strip of ground extending east from the east line of the Illinois Central Railroad Company's "right of way," 50 feet in width on each side of the center line of Fifty-seventh street to the east line of Hyde Park avenue.

*Third,* In addition to the lands now embraced within the park limits, lying at or near the intersection of Cottage Grove avenue with Fifty-first street, there shall be annexed to and included within the boundaries of the said park, the north half of block nine (9), in Drexel and Smith's subdivision of the west half of

the northwest quarter, and the west half of the west half of the southwest quarter of section 11, township 38 north, range 14, east of the third principal meridian.

*Fourth,* There shall be annexed to and included within the boundaries of the said park, a strip of land 50 feet in width on each side of a line commencing at the intersection of the east line of Kankakee avenue, now or lately so called, with the center line of Oakwood avenue, in the town of Hyde Park; running thence easterly along the center line of said Oakwood avenue, as the same is now laid out, to a point directly opposite to the southeast corner of lot eleven (11), in block one (1), in Cleaverville addition, and running thence due east to Cottage Grove avenue; also all that part of lot one (1), in block four (4), in Cleaverville addition, lying north of the strip of land above described; and also all that portion of said Oakwood avenue lying between Cottage Grove avenue and Kankakee avenue, aforesaid, and be it further

Resolved, that a map showing the aforesaid alterations or changes, be forthwith made, acknowledged and filed for record, in the office of the Recorder of Deeds of the County of Cook.

## RAILROADS.

AGREEMENT allowing Chicago & Western Indiana Railroad Company to cross Garfield boulevard.

*Adopted October 27, 1879.*

Resolved, that the Chicago & Western Indiana Railroad Company have authority to cross Fifty-fifth street boulevard, as requested, provided that it shall duly execute the contract without delay, contained in its request this day submitted to the board, which has been approved by the attorney of this board, and has been handed to the agents of said company to procure its execution.

The request and conditions are as follows:

*To the Board of South Park Commissioners:*

The Chicago & Western Indiana Railroad Company, a corporation duly organized under and by virtue of the laws of the State of Illinois, hereby ask permission to lay three railroad tracks across the Fifty-fifth street boulevard, on a width not exceeding for all thirty-four feet, on a line with Wallace street, where the same, if extended, would cross said boulevard; said space not to be used for switching cars or side tracks; and in consideration of the granting of said permission, and as a condition of the said grant and of the exercise thereof, the said Chicago & Western Indiana Railroad Company do hereby agree to so lay and construct said tracks that the top of the rails of said railroad tracks shall not, when so laid, be to exceed eighteen inches above the present grade of the center of said boulevard, where now improved, and to raise or lower the same, from time to time, as said Board of Park Commissioners may direct, and also to grade the driveway of said boulevard from the top of said rails on a straight line to the present or future grade of said driveway, at a point one hundred feet east and west, respectively, on said driveway, and keep the same in repair to the satisfaction of said board; said grading to be the full width of said driveway, as now improved, and to be continued as the said improvement may be widened, for the whole width to which the said

commission shall, from time to time, extend the said improvement; said grading to be made of broken stone and stone screens, or with gravel as said Board of Commissioners may direct; and also to plank the space between said railroad tracks, for the whole width of said boulevard, and to extend the planking to such distance outside of said rails as shall be directed by said board; and also to make like crossings on such other driveways as shall be hereafter constructed by said commissioners on said boulevard, where the same shall or may cross the line of said railroad tracks, and to maintain the same at the cost and expense of said company and its successors and assigns, and to do all and every the matters and things aforesaid, under the supervision and to the satisfaction of said Board of Commissioners, or such person as they may appoint. And further, that said railroad company shall, at its own cost and expense, maintain a flagman at such crossing and crossings, as aforesaid, whenever said Board of South Park Commissioners shall, by resolution, direct the same to be done, and shall also establish, construct and maintain, at its own expense, suitable safety gates at such crossings, whenever directed to do so by resolution of said board; and further, that the said railroad company shall, and will, comply with any and all general ordinances that may be adopted by said board, establishing a general system of viaducts for railroads crossing said boulevard between the west line of the Village of Hyde Park and Halsted street, in the Town of Lake; and further, that said railroad company shall lower its tracks, if necessary, to enable said board to construct such suitable and substantial driveways or viaducts as the said board may hereafter order over said railroad crossings, hereby permitted, of which said viaducts said company shall pay the cost, expense, and also all reasonable expenses afterwards, keeping such viaducts in repair. And said company shall also conform to any and all general ordinances of said Board of South Park Commissioners, regulating the speed of railroad trains or engines at the crossings of said boulevard, and shall be subject at all times to all of the police powers vested, or which may hereafter be vested, in the said board, and to the proper exercise thereof by or through the agency of said board. And it is hereby further agreed and declared, by the said railroad company, that the due performance on its part of all and singular,

the agreements and stipulations, aforesaid, shall be, and the same are hereby made conditions of the said grant, and of the exercise of the privileges hereinbefore requested to be granted to said company. And it is hereby further agreed that this instrument shall be spread upon the regular records of the proceedings of the Board of Directors of said company, and to be approved by said board, and proper evidence of said approval furnished to the said Board of South Park Commissioners. And in case of failure, neglect or refusal of said railroad company, so to approve and to record this agreement, the said company agrees to remove said tracks from said boulevard crossing, upon ten days notice, and the continuance during that time of such default as aforesaid. And in case of failure or neglect of said railroad company, after the continuance of such default for the period of ten days after notice as aforesaid, and in case of its breach of any of the conditions or agreements hereinbefore contained, the said Board of South Park Commissioners may take up and remove the said tracks from said boulevard at the said crossings, provided said Board of South Park Commissioners shall first give written notice of such breach of condition at least ten days before proceeding to take up said tracks.

REGULATING GRAND TRUNK RAILWAY CROSSING  
OF WESTERN AVENUE.

*Adopted August 10, 1881.*

*Be it ordained by the South Park Commissioners.*

SECTION 1. That permission and authority be, and the same is hereby granted, to the Grand Trunk Junction Railway Company to construct and maintain a double track railway on and across the Western Avenue boulevard, in the Town of Lake, Cook County, Illinois, in the manner and subject to the restrictions following, to-wit:

The north rail of the said tracks shall be laid parallel to and not more than one hundred (100) feet south of the south line of Forty-ninth street, as the same crosses said boulevard, and the south rail of said tracks shall be laid parallel to and not more than twenty-two (22) feet south of said north rail.

The said tracks shall be laid and constructed under the direction of the South Park Commissioners, and said railway company shall plank and keep in constant repair the spaces between said tracks to the full width of said boulevard.

SEC. 2. The said railway company and its successors shall, whenever so directed by said South Park Commissioners, keep and maintain a flagman at such crossing of said boulevard, and use and maintain such other means in use by railway companies, as shall from time to time be directed by said South Park Commissioners to insure the safety of persons using said boulevard, and at no time and under no circumstances shall said railway company permit any of its cars, locomotives, or any other obstacle, to stand upon said tracks crossing said boulevard, to the obstruction of said boulevard or any part thereof.

SEC. 3. Whenever so directed by said South Park Commissioners in compliance with any general order providing for the construction of viaducts over the boulevards, under the control of said South Park Commissioners, in any particular district, the said railway company and its successors shall construct a viaduct over said boulevard and railway crossing in the manner directed by said South Park Commissioners, and any failure to so con-

struct such viaduct shall avoid and render null the permission hereby granted to cross said boulevard.

SEC. 4. The said railway company shall at all times hereafter comply with all general or special ordinances of said South Park Commissioners, passed, or to be passed, concerning the use and occupancy of streets and boulevards, and the running and operating of cars thereon or across the same by railway companies, so far as the same relate to the privilege hereby granted, and such compliance is made a condition of the granting and continuance of the privilege hereby granted.

SEC. 5. The permission and authority hereby granted are upon the further express condition that the said railway company shall, and will forever, indemnify and save harmless the said South Park Commissioners against, and from any and all, legal damages, judgments, decrees and costs, and expenses of the same, which may be recovered or obtained against said South Park Commissioners for or by reason of the granting of such privileges and authority, or for or by reason of or growing out of or resulting from, the passage of this ordinance, or any matter or thing connected therewith or with the exercise by said company of the privileges hereby granted, or from any act or acts of said company under or by virtue of the provisions of this ordinance.

SEC. 6. This ordinance shall take effect and be in force from and after its acceptance, in writing, duly signed by the said Grand Trunk Junction Railway Company.

By which said acceptance the said company shall agree to comply with the terms and conditions of said ordinance, and upon a breach of any of the terms and conditions herein named, it shall forfeit all the rights conferred hereby, after reasonable notice in writing by said South Park Commissioners of their election to have said rights forfeited.



AGREEMENT, between the Chicago & Calumet Horse and Dummy Railway Company and the South Park Commissioners to cross Oakwood boulevard.

*Adopted July 8, 1885.*

At a regular meeting of the Board of South Park Commissioners, held at their office in the City of Chicago, on the eighth day of July, 1885, a quorum being present, an application being made to the Board of South Park Commissioners, by the Chicago & Calumet Horse and Dummy Railway Company, for permission to cross Oakwood boulevard at its intersection with Cottage Grove avenue.

Now, therefore, subject to the conditions hereinafter expressed, permission is hereby granted by the said Commissioners to the said Chicago & Calumet Horse and Dummy Railway Company, to lay down and operate its said track upon these conditions, that is to say :

*First.* After putting the track down, the road is to be replaced in perfect order and condition as it now is, at the expense of the said railway company, and to be so kept at all times by it.

*Second.* No cars, horses or other obstructions are ever to stop or stand upon the boulevard. All stoppages, to take on or let off passengers or for other purposes, are to be before reaching or after crossing the boulevard.

*Third.* The said railway company is to enter into an agreement with the South Park Commissioners to comply with all the conditions hereinbefore and hereinafter contained, and also that if at any time the said conditions and restrictions are not complied with or the track and the cars thereon become, in the opinion of the commissioners, too great an obstruction to driving upon the boulevard, or if the commissioners for any other reason desire the track to be removed, then the said railway company is to remove the said track, and replace the road and boulevard in perfect order and condition, as it now is, all at the expense of the said railway company.

*Fourth.* That in the exercise of the permission herein granted, said company shall not make use of steam power, nor anything but horse power, in propelling, conducting or operating its cars

across said boulevard, nor permit any dummy or other engine to cross, or recross, the same at any time.

*Fifth.* The permission hereby granted is to be temporary and subject to such further or other restrictions as said commissioners, or their successors, may from time to time deem advisable, and also subject to be wholly revoked in the discretion of the said commissioners.

ORDINANCE granting right to Atchison, Topeka & Santa Fe Railroad Company in Chicago to cross Western Avenue Boulevard.

*Adopted August 12, 1887.*

*Be it ordained by the South Park Commissioners:—*

SECTION 1. That permission and authority be and the same is hereby granted to the Atchison, Topeka & Santa Fe Railroad Company in Chicago to lay down, operate and maintain a double-track railway across the Western Avenue boulevard in the Town of Lake, Cook County, Illinois, in the manner and subject to the provisions and restrictions hereinafter contained.

SEC. 2. The north rail of the said tracks shall be laid as nearly as practicable parallel to and not more than twelve feet south of the south line of Forty-ninth street as the same crosses said boulevard ; the south rail of said tracks shall be laid parallel to and not more than twenty-two feet south of said north rail ; and the said tracks shall be laid under the supervision and direction of the Superintendent of the South Park Commissioners.

SEC. 3. The said railroad company shall plank and keep in constant repair the spaces between said tracks to the full width of said boulevard.

SEC. 4. The said railroad company shall, whenever so directed by the South Park Commissioners, keep and maintain a flagman at such crossing of said boulevard or shall construct and maintain gates thereat, as shall be required by the South Park Commissioners ; and shall also use and maintain such other means in use by railway companies as shall from time to time be directed by said South Park Commissioners to insure the safety of persons using said boulevard.

SEC. 5. The said railroad company shall at no time and under no circumstances permit any of its cars or locomotives to stand upon said tracks to the obstruction of travel upon said boulevard, or any part thereof.

SEC. 6. The permission, authority and privileges hereby granted are upon the further express condition that the said railroad company, whenever so directed by the South Park Commis-

sioners, in compliance with any general order in regard to the construction of viaducts and the lowering of the tracks crossing the boulevards under the control of said South Park Commissioners in any particular district, shall construct and maintain a viaduct over said boulevard and railway crossing, and shall lower the said tracks in the manner required by the said South Park Commissioners.

SEC. 7. The privileges hereby granted are upon the further express condition that said railroad company shall at all times comply with and be subject to all general and special ordinances of said South Park Commissioners, now in force or which may hereafter be passed concerning the use and occupation of streets and boulevards and the running and operating of cars thereon or across the same by railway companies, so far as the same apply or relate to the privileges hereby granted.

SEC. 8. The permission and authority hereby granted are upon the further express condition that the said railroad company shall forever indemnify and save harmless the said South Park Commissioners from any and all legal actions, damages, decrees and the costs and expenses of the same which may be recovered or obtained against the South Park Commissioners for or by reason of, or growing out of, or resulting from the passage of this ordinance, or any matter or thing connected therewith, or by the exercise by the company of the privileges hereby granted, or from any act or acts of said company under or by virtue of this ordinance.

SEC. 9. Should the said company at any time fail to comply with the conditions and provisions of this ordinance, or any of them, or with the general ordinances of the South Park Commissioners, the said South Park Commissioners may order said tracks to be taken up and removed by said company and on its failure so to do within ten days after notice of such order, may cause the same to be taken up and removed at the expense of the said company.

SEC. 10. All the provisions of this ordinance shall be equally binding upon the said railroad company, its successors, assigns and lessees.

SEC. 11. This ordinance shall be in force only from and after the written acceptance of the same and its provisions by

the said Atchison, Topeka & Santa Fe Railroad Company, in Chicago duly signed and under its corporate seal, shall be filed with the secretary of the South Park Commissioners. Unless such acceptance be so filed within thirty days of the time of the passage hereof this ordinance shall be null and void.

## *HORSE AND CABLE RAILWAYS,*

CONDITIONS on which Chicago City R. R. is allowed to cross Grand Boulevard.

*Adopted June 8, 1876.*

*First.* After putting the tracks down the road is to be replaced in perfect order and condition as it now is, at the expense of the said railway company, and to be so kept at all times by it.

*Second.* No cars, horses or other obstructions are ever to stop or stand upon the boulevard. All stoppages to take on or let off passengers or for other purposes, are to be before reaching or after crossing the boulevard.

*Third.* The said railway company is to enter into an agreement with the South Park Commissioners to comply with all the conditions hereinbefore and hereafter contained, and also that if at any time the said conditions and restrictions are not complied with, or the tracks and cars thereon become, in the opinion of the said commissioners, too great an obstruction to driving upon the boulevards, or if the commissioners for any other reason desire the tracks to be removed, then the said railway company is to remove the said track and replace the road and boulevard, in perfect order and condition as it now is, all at the expense of the said railway company.

*Fourth.* That in the exercise of the permission hereby granted, said company shall not make use of steam power, nor anything but horse-power, in propelling, conducting or operating its cars across said boulevard ; nor permit any dummy or other engine to cross or recross the same at any time.

*Fifth.* The permission hereby granted is to be temporary, and subject to such further or other restrictions, as said commissioners or their successors may from time to time deem advisable, and also subject to be wholly revoked in the discretion of said board.

CHICAGO CITY RAILWAY, CROSSING AT GARFIELD  
BOULEVARD AND STATE STREET.

*Adopted August 9, 1882.*

RESOLVED, That permission be and the same is hereby given the Chicago City Railway Company to construct, maintain and operate its railway tracks across Garfield boulevard at its intersection with State street, in the manner and subject to the conditions following :

*First.* Said company shall construct double tracks at said crossing, and between the rails and between the tracks shall lay planks or paving material in such manner, and maintain the same at all times, as this board shall direct. The rails or tracks so laid shall not protrude above the level of the road-bed, and the rails and tracks and spaces between them shall be kept constantly in repair, and in such condition as in no wise to cause danger or interruption to travel.

*Second.* No cars or horses or propelling engines connected therewith shall be permitted to stop on said boulevard, and all stoppages to take on or let off passengers shall be made before reaching or after crossing the boulevard.

*Third.* Should said company at any time refuse or neglect to comply with the provisions aforesaid, or with any reasonable rule or regulation, established by this board for the government of said boulevard, this license shall cease and terminate, and without notice or process of law said board may cause such tracks and rails to be moved.

*Fourth.* No steam or other locomotive engine shall be used by said company for propelling cars across said boulevard.

*Fifth.* This license shall be accepted subject to all the police and governmental powers of said board, and to its privilege at any time to cause the removal of said tracks, and the revocation of this license from whatsoever cause it may deem proper.

*Sixth.* This resolution shall take effect and be in force upon a written acceptance of the same being filed with the secretary of this board, signed by the president of said company, with its

corporate seal attached, attested by its secretary ; which said acceptance shall be deemed an agreement on the part of said company to comply with all the terms and conditions herein expressed.

The secretary of this board is hereby directed to transmit to said company a copy of this resolution, duly certified under his hand and the seal of this board.



AGREEMENT between the Chicago City Railway Company and the South Park Commissioners to cross Michigan avenue at Thirty-first street.

*Adopted July 16, 1884.*

At a regular meeting of the Board of South Park Commissioners, held at their office in the City of Chicago, on the 16th day of July, 1884, a quorum being present. An application being made to the Board of South Park Commissioners by the Chicago City Railway Company for permission to cross Michigan Avenue boulevard at its intersection with Thirty-first (31st) street south.

Now, therefore, subject to the conditions hereinafter expressed, permission is hereby granted by the said Commissioners to the said Chicago City Railway Company to lay down and operate its said track upon these conditions, that is to say :

*First.* After putting the track down the road is to be replaced in perfect order and condition as it now is, at the expense of the said railway company, and to be so kept at all times by it.

*Second.* No cars, horses or other obstructions are ever to stop or stand upon the boulevard. All stoppages to take on or let off passengers, or for other purposes, are to be before reaching or after crossing the boulevard.

*Third.* The said railway company is to enter into an agreement with the South Park Commissioners to comply with all the conditions hereinbefore and hereinafter contained ; and also that if at any time the said conditions and restrictions are not complied with, or the track and cars thereon become, in the opinion of the commissioners, too great an obstruction to driving upon the boulevard, or if the commissioners for any other reason desire the track to be removed, then the said railway company is to remove the said track, and replace the road and boulevard in perfect order and condition as it now is, all at the expense of the said railway company.

*Fourth.* That in the exercise of the permission hereby granted, said company shall not make use of steam power nor anything but horse power in propelling, conducting or operating its cars across said boulevard, nor permit any dummy or other engine to cross or recross the same at any time.

*Fifth.* The permission hereby granted is to be temporary, and subject to such further or other restrictions as said commissioners or their successors may from time to time deem advisable, and also subject to be wholly revoked in the discretion of the said commissioners.

AGREEMENT, between the Chicago City Railway Company and the South Park Commissioners, for crossing Garfield Boulevard at Wentworth avenue and Halsted street.

*Adopted November 12, 1884.*

At a regular meeting of the Board of South Park Commissioners, held at their office in the City of Chicago, on the 12th day of November, 1884, a quorum being present, an application being made to the Board of South Park Commissioners by the Chicago City Railway Company for permission to cross Garfield boulevard at its intersection with Wentworth avenue, and also to cross said Garfield boulevard at its intersection with Halsted street.

Now, therefore, subject to the conditions hereinafter expressed, permission is hereby granted by the said commissioners to the said Chicago City Railway Company, to lay down and operate its said tracks upon these conditions, that is to say :

*First.* After putting the track down the road is to be replaced in perfect order and condition as it now is, at the expense of the said railway company, and to be so kept at all times by it.

*Second.* No cars, horses or other obstructions are ever to stop or stand upon the boulevard, all stoppages to take on or let off passengers or for other purposes are to be before reaching or after crossing the boulevard.

*Third.* The said railway company is to enter into an agreement with the South Park Commissioners to comply with all the conditions hereinbefore and hereinafter contained, and also that if, at any time, said conditions and restrictions are not complied with, or the track and cars thereon become in the opinion of the commissioners too great an obstruction to driving upon the boulevard, or if the commissioners for any other reason desire the track to be removed, then said Railway Company is to remove the said track and replace the road and boulevard in perfect order and condition as it now is, all at the expense of the said railway company.

*Fourth.* That in the exercise of the permission hereby granted, said company shall not make use of steam power nor anything but horse power in propelling, conducting or operating

its cars across said boulevard, nor permit any dummy or other engine to cross or recross the same, at any time.

*Fifth.* The permission hereby granted is to be temporary, and subject to such further or other restrictions as said commissioners or their successors may from time to time deem advisable, and also subject to be wholly revoked in the discretion of the said commissioners.

**AGREEMENT**, between the Chicago City Railway Company and the South Park Commissioners, to cross Oakwood and Drexel boulevards and Midway Plaisance at the intersection of the same and Cottage Grove avenue.

*Adopted May 11, 1887.*

At a regular meeting of the Board of South Park Commissioners, held at their office in the City of Chicago, on the eleventh day of May, 1887, a quorum being present, an application being made to the South Park Commissioners by the Chicago City Railway, for permission to cross with its cable railway tracks Oakwood boulevard, Drexel entrance to Washington Park and Midway Plaisance, at the intersection of the same with Cottage Grove avenue.

Now, therefore, subject to the conditions hereinafter expressed, permission is hereby granted by the said commissioners to the said Chicago City Railway Company, to lay down and operate its said track upon the conditions, that is to say:

*First.* After putting the track down the road is to be replaced in perfect order and condition, as it now is, at the expense of the said railway company, and to be so kept at all times by it.

*Second.* No cars, horses, or other obstructions, are ever to stop or stand upon the boulevards. All stoppages to take on or let off passengers, or for other purposes, are to be before reaching or after crossing the boulevard.

*Third.* The said railway company is to enter into an agreement with the South Park Commissioners to comply with all the conditions hereinbefore and hereinafter contained, and also that if at any time the said conditions and restrictions are not complied with, or the track and cars thereon become in the opinion of the commissioners too great an obstruction to driving upon the boulevards, or if the commissioners for any other reason desire the track to be removed, then the said railway company is to remove the said track, and replace the roads and boulevards in perfect order and condition, as it now is, all at the expense of the said railway company.

*Fourth.* That in the exercise of the permission hereby granted said company shall not make use of steam power, nor anything

but horse or cable power, in propelling, conducting or operating its cars across said boulevards, nor permit any dummy or other engine to cross or recross the same at any time.

*Fifth.* The permission hereby granted is to be temporary, and subject to such further or other restrictions as said commissioners or their successors may from time to time deem advisable, and also subject to be wholly revoked in the discretion of the said commissioners.

*Sixth.* That the grade of the top of the rails, at all points in the crossings named, shall be determined by the Park Commissioners, and that the location of man holes, etc., within the park limits, shall also be fixed by the commissioners.

*Seventh.* That the rate of speed at which cars shall cross such park territory shall not exceed, under any circumstances, five miles per hour.

*Eighth.* That the railway company will, at their expense, keep a good flagman at crossings where the Park Commissioners think it necessary, and that one be placed at Oakwood and Fifty-first street as soon as the operation of the cable commences.

*Ninth.* That the permission should be given with the express condition that the company will, at their own expense, make such alterations in their tracks, etc., particularly at the Midway Plaisance, as may be deemed desirable by the Park Commissioners, as further improvements are made, and that the company agree to pay any additional cost which may arise in the construction of bridges that may hereafter be determined upon by the Park Commissioners, on account of making such bridges suitable for the conveying of the cable and cars.

*Tenth.* That the construction of the road across the places named shall be carried on at the times and in the manner directed by the Park Commissioners. The object being to occupy the crossings for as short a time as possible.

ORDINANCE granting right of way to the Chicago City Railway Company across Michigan avenue at 26th street, across Michigan avenue, Grand boulevard and Drexel boulevard at 43rd street, and across Western avenue boulevard at Archer avenue.

*Adopted November 9, 1887.*

*Be it ordained by the South Park Commissioners:*

SECTION 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions of this ordinance, permission is hereby granted to said Chicago City Railway Company to lay down, maintain and operate a double track street railway across Michigan avenue, Grand boulevard and Drexel boulevard, at Forty-third street, across Michigan avenue at Twenty-sixth street, and across Western avenue boulevard at Archer avenue.

SEC. 2. The said tracks shall be laid under the supervision and direction of the superintendent of the South Park Commissioners, and after tracks are laid the roadways shall be replaced in perfect order and condition as they now are, at the expense of the said railway company, and to be so kept at all times by it, in such manner as shall be directed by said superintendent.

SEC. 3. No cars, horses or other obstructions shall ever stop or stand upon the said boulevards, or avenues or crossings, and all stoppages to take on or let off passengers, or for other purposes, shall be before reaching or after crossing the boulevards.

SEC. 4. If at any time said conditions and restrictions are not complied with, or the track and cars thereon become in the opinion of the South Park Commissioners too great an obstruction to driving upon the said boulevards or avenues, or if the commissioners for any other reason desire the said tracks to be removed, then said railway company is to remove the said tracks and replace the roadways and boulevards in perfect order and condition as they now are, all at the expense of the said railway company.

SEC. 5. That in the exercise of the permission hereby granted said company shall not make use of steam power, nor anything but horse power in propelling, conducting or operating its cars across said boulevards and avenues, nor permit any

dummy or other engine to cross or recross the same at any time.

SEC. 6. That permission hereby granted is to be temporary and subject to such further or other restrictions as said South Park Commissioners, or their successors, may from time to time deem advisable, and also subject to be wholly revoked in the discretion of the said commissioners.

SEC. 7. This ordinance shall be in force from and after its written acceptance by said Chicago City Railway Company. Unless such acceptance be filed with the secretary of said South Park Commissioners within thirty days after the passage hereof this ordinance shall be null and void.



## SOUTH PARKS.

*(Names of Parks and Boulevards.)*

## BAYARD AVENUE.

The driveway running from both the northwest and northeast corners of Washington Park and encircling the north open green.

## DREXEL BOULEVARD.

A boulevard 200 feet wide, being the first street east of Cottage Grove avenue, and extending from Oakwood avenue to Fifty-first street.

## FIFTY-SEVENTH STREET.

Being the street of that name between the Illinois Central Railroad right of way and the west line of Jackson Park.

## GARFIELD BOULEVARD.

A boulevard 200 feet wide upon the line of Fifty-fifth street, extending from South Park avenue to Western Avenue boulevard.

## GRAND BOULEVARD.

A boulevard 198 feet wide upon the line of South Park avenue, extending from Thirty-fifth street to Fifty-first street.

## GAGE PARK.

Twenty acres. Situated at the intersection of Western Avenue and Fifty-fifth street. (Garfield boulevard.)

## WASHINGTON PARK.

The area of 371 acres, bounded on the north by Fifty-first street, east by Cottage Grove avenue, south by Sixtieth street and west by South Park avenue.

## JACKSON PARK.

The area of 586 acres, bounded as follows: On the north by Fifty-sixth street, east by Lake Michigan, south by Sixty-seventh street, west by Stoney Island avenue.

## LAFAYETTE AVENUE.

The driveway in Washington Park running south from the Pavilion Concourse along the westerly side of the park, and easterly along the southerly side of the park until it intersects with Palmer avenue.

## MIDWAY PLAISANCE.

The connecting way between Washington and Jackson parks, lying between Fifty-ninth and Sixtieth streets, and Cottage Grove and Stoney Island avenues.

## MICHIGAN AVENUE BOULEVARD.

Being Michigan avenue from Jackson street to Garfield boulevard.

## OAKWOOD BOULEVARD.

The first street south of Thirty-ninth street between Grand boulevard and Cottage Grove avenue.

## PALMER AVENUE.

A driveway in Washington Park running from Bayard avenue, near the Green-house, southerly through the eastern portion of the park to the intersection of Cottage Grove avenue and Sixtieth street.

## THIRTY-FIFTH STREET BOULEVARD.

Being Thirty-fifth street between Michigan avenue and South Park avenue.

## WESTERN AVENUE BOULEVARD.

Being a strip of land 200 feet wide, east of and adjoining the center line of Western avenue, from the Illinois & Michigan Canal to Fifty-fifth street. (Garfield boulevard.)

## THE DREXEL ENTRANCE.

A piece of land extending 100 feet north and 350 feet south of the center line of Fifty-first street, lying between Cottage Grove avenue and Drexel avenue.

## THE SOUTH PARK COMMISSIONERS AND THEIR OFFICERS EXEMPT FROM GARNISHMENT.

The Supreme Court of Illinois has decided that upon grounds of public policy a municipal corporation cannot be garnished. The court say (in *Merwin vs. The City of Chicago*, 45 Ills. p. 133) "These municipal corporations are in the exercise of governmental powers to a very large extent." "To permit the great public duties of this corporation to be imperfectly performed, in order that individuals may the better collect their private debts, would be to prevent the great objects of its creation."

In the same case it was held that a municipal corporation, summoned as garnishee, need not answer, but should be discharged on mere motion.

"An officer of a municipal corporation is not subject to garnishment." *Bartell vs. Bauman*, 12 Brad. 450.

The same court has decided (*People ex rel. vs. Salomon*, 51 Ills. 52) that by the vote of the people within the jurisdiction of their action, the South Park Commissioners "became a *public municipal corporation*, the object of their creation being of a municipal character, and of that alone."

This case was cited and approved by the same court in *South Park Commissioners vs. People ex rel. etc.*, Leg. News, Vol. 18, No. 12 (Nov. 28, 1885), where it was also held that the property of the South Park Commissioners is not subject to either taxation or special assessment by the respective towns in which it is situated.



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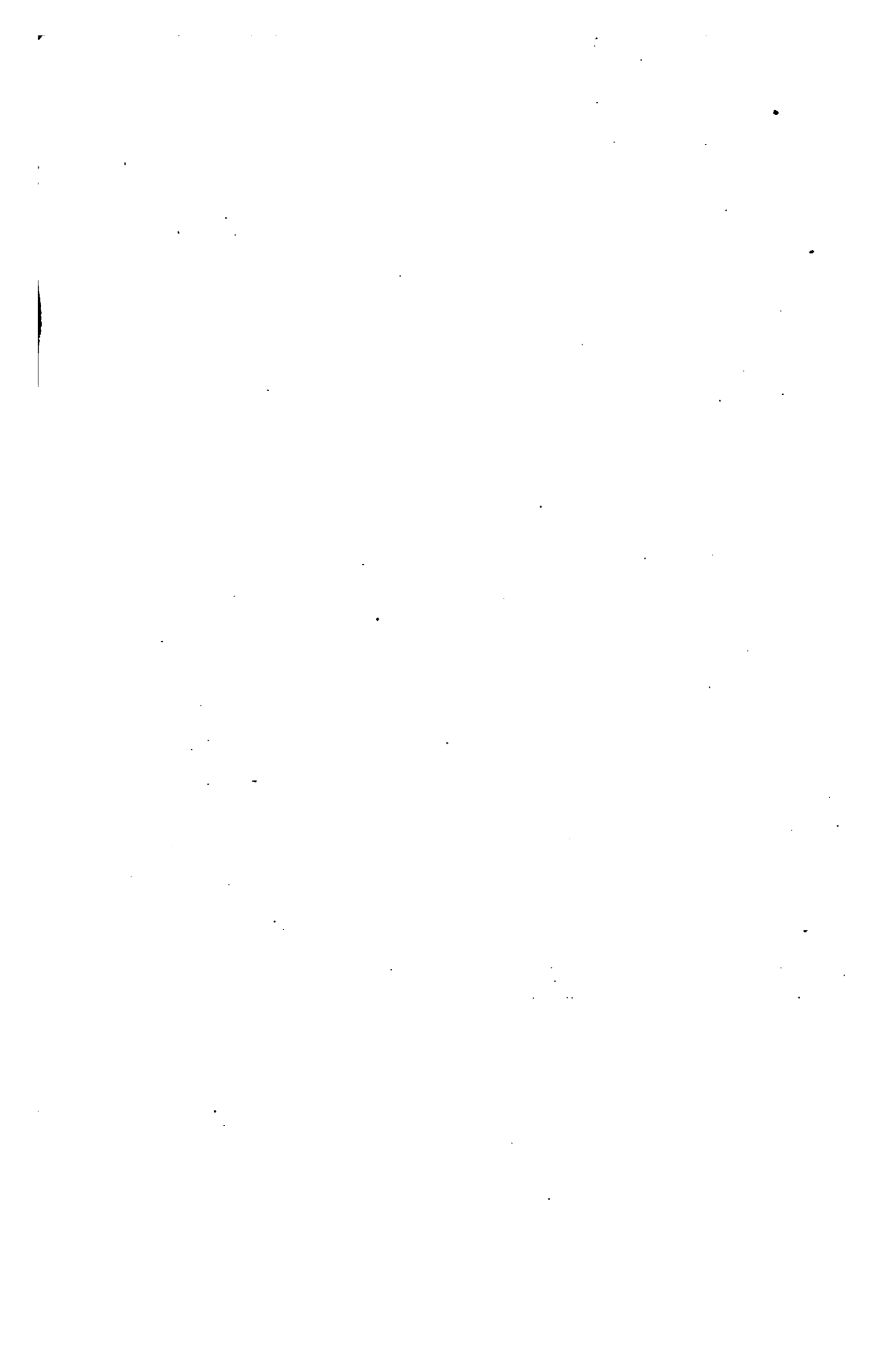
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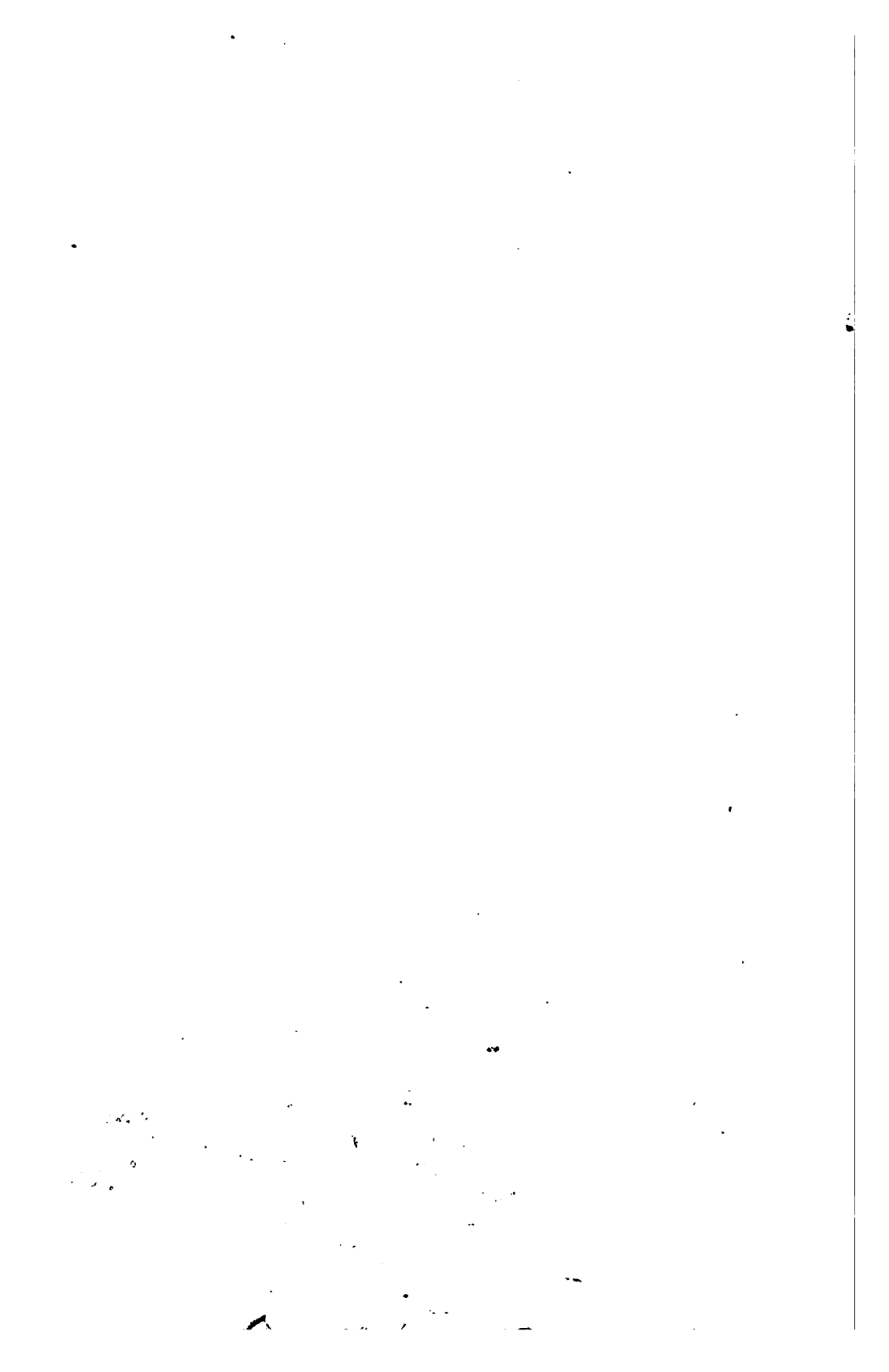
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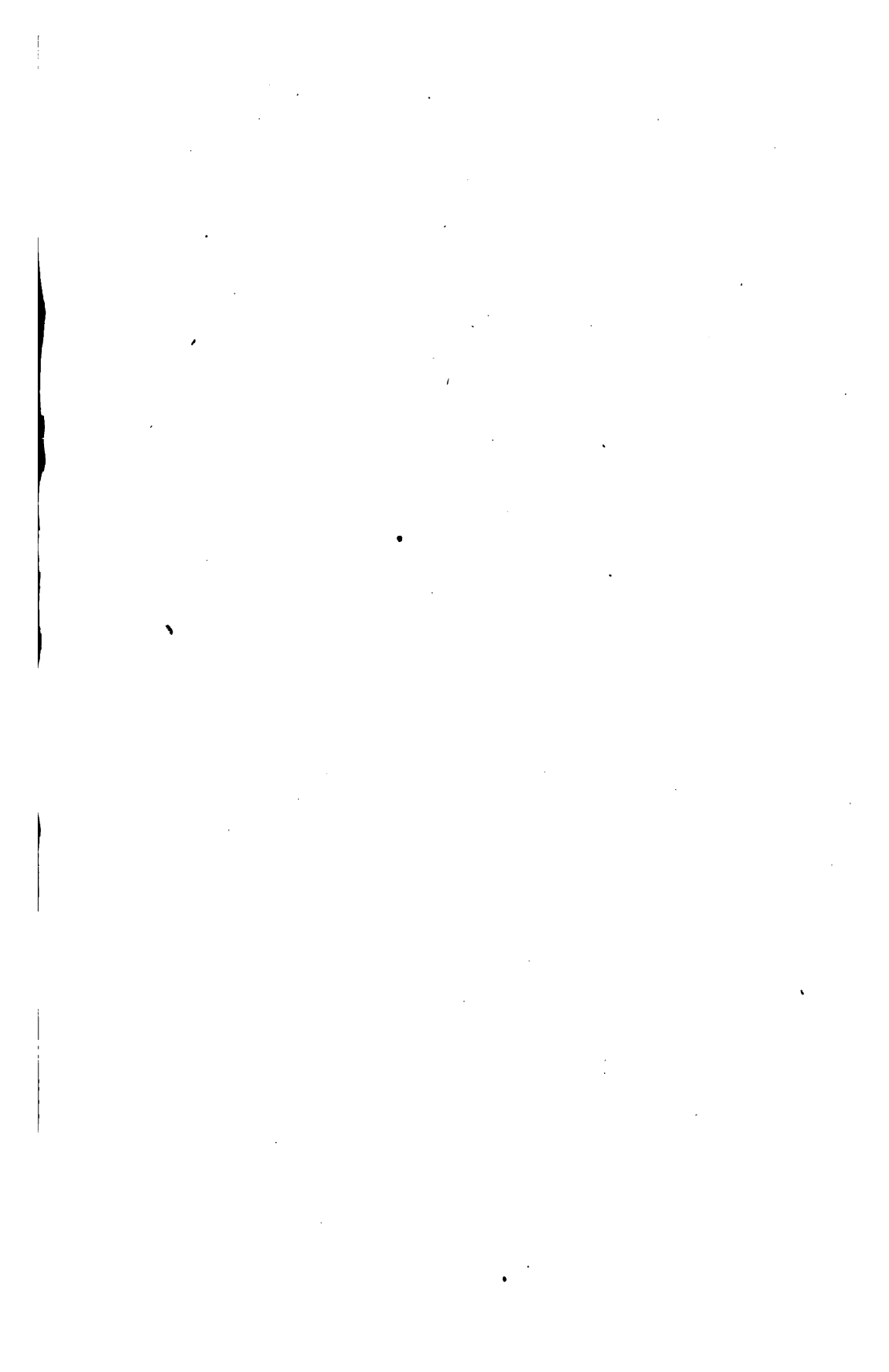
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